

Temporary leave program Youth Justice, Victoria

May, 2015

Published by: Statutory and Forensic Services Design Branch, Department of Health & Human Services

Email: contact.youthjustice@dhs.vic.gov.au

This document is available at: <http://intranet.dhs.vic.gov.au/client-service-hubs/youth-justice>

May 2015

Contents

Introduction	1
Legislative basis	3
Temporary leave	5
Temporary leave processes	5
Types of temporary leave	6
Eligibility for temporary leave	7
Classification.....	7
Eligibility indicators	7
Timelines for eligibility	9
Special eligibility considerations	9
Assessing and planning for risk	11
Temporary leave Risk Assessment and Plan (RAP).....	11
Process for RAP	11
Approval requirements	12
Temporary leave permits	15
Leave permits	15
Breaches of leave	16
Supervision and monitoring of temporary leave	19
Supervision arrangements.....	19
Escorted leave	19
Unescorted leave.....	20
Termination of leave	22
Absconding and attempted absconding from leave	22
Reporting requirements	23
Guidelines for the Pre-Release Program (PRP) and Special Leave	25
Guidelines for Pre-Release Program (PRP).....	25
Guidelines for special leave for young people in custody	27
Attachment 1	29
Temporary leave Risk Assessment and Plan (RAP) 2015.....	29

Figures

Figure 1: Temporary leave process steps	5
Figure 2: Risk Assessment and Plan (RAP) process steps	12

Tables

Introduction.....	1
Legislative basis	3
Temporary leave	5
Temporary leave process	5
Types of temporary leave	6
Eligibility for temporary leave	7
Classification.....	7
Eligibility indicators	7
Timelines for eligibility	9
Special eligibility considerations	9
Assessing and planning for risk.....	11
Temporary leave Risk Assessment and Plan (RAP).....	11
Process for RAP	11
Approval requirements	12
Temporary leave permits	15
Leave permits	15
Breaches of leave	16
Supervision and monitoring of temporary leave.....	19
Supervision arrangements.....	19
Escorted leave	19
Unescorted leave.....	20
Termination of leave	22
Absconding and attempted absconding from leave	22
Reporting requirements	23
Guidelines for the Pre-Release Program (PRP) and Special Leave	25
Guidelines for Pre-Release Program (PRP).....	25
Guidelines for special leave for young people in custody	27
Attachment 1	29
Temporary leave Risk Assessment and Plan (RAP) 2015.....	29

Introduction

In Victoria, the Department of Health & Human Services is responsible for the statutory supervision of young people in the criminal justice system. The *Children, Youth and Families Act 2005* is the principal legislation for the Youth Justice service and specifically, the Act provides the legislative basis for the granting of temporary leave for young people in custody.

The department's Youth Justice service provides programs and resources to assist young people placed on supervised community-based and custodial orders to develop the knowledge, skills and attitudes to manage their lives effectively without further offending. Youth Justice promotes opportunities for rehabilitation through supervision, offending-related programs and linkages to appropriate support services. Further, opportunities for re-integration of young people in custody back into the community are a vital goal of Youth Justice Custodial Services.

Re-integration is the process of assisting offenders in custody to adopt a non-offending lifestyle in the community. The term re-integration captures an important idea of offenders actively participating in the process of community return, rather than passively receiving services.

A range of practices and programs prepare young people for release and promote re-integration into the community. The Temporary Leave Program is fundamental to that process as it is designed to support a gradual transition into the community, focusing on the development of positive social connections.

Temporary leave refers to a time-limited leave of absence from a youth justice centre for a young person who is serving a sentence of detention or is on remand. It provides opportunities for progressively increased responsibility, the maintenance or re-establishment of family linkages, links to community supports and services, and involvement in employment and training. It covers different types of leave, a range of escorted and unescorted outings, and day and overnight leave.

Temporary leave for young offenders balances rehabilitation and reintegration goals with community expectations regarding the administration of justice. Decisions regarding temporary leave reflect the seriousness of the crime for which the young person has been convicted, the length of their sentence and community safety considerations. Decisions are based on a comprehensive assessment of a young person and their situation, operating within a risk management framework that maintains links to the young person's behaviour within the youth justice centre.

All decisions regarding temporary leave must be authorised by a departmental staff member with delegated authority. During the period of their leave, the young person remains in the legal custody of the department.

The Youth Parole Board and Youth Residential Board recognise the importance of the pre-release temporary leave program for young people sentenced to custody. As noted in recent Annual Reports:

Temporary leave granted at the pre-release stage of a young person's sentence to undertake employment or pursue education or vocational training has proved of great value in assisting the re-integration of young people into the community and preparing them for parole. Pre-release leave can also provide opportunities for young people to test out accommodation arrangements in the community prior to parole. (201213)

The number of temporary leaves for 2013-14 decreased by nine per cent when compared with 2012-13. The Boards note that fluctuations may occur within a relatively small population and are confident this number will increase. It is vital that young people continue to have an opportunity to undertake this important preparation for their transition to the community on parole. (201314)

Legislative basis

Since the *Community Welfare Services Act 1970*, the Temporary Leave Program in Victoria has been in operation for over forty years. That Act provided for a temporary leave program which, legislatively, was very similar to the current program. Now, Section 485(1) of the *Children, Youth and Families Act 2005* provides the legislative basis for the granting of temporary leave:

'In relation to a person who is detained in a remand centre, youth residential centre or youth justice centre, the Secretary or the officer in charge of the centre with the authority in writing of the Secretary given either generally or in any particular case, may by writing under his or her hand permit a person in the centre to take temporary leave of absence, with or without escort or supervision, from the place where that person is detained for any purpose stated in the permit which may include, but is not limited to, any of the following purposes —

- to engage in employment, whether with or without remuneration;
- to attend an educational or training institution;
- to visit his or her family, relatives or friends;
- to participate in sport, recreation or entertainment in the community;
- to attend a hospital or a medical, dental or psychiatric clinic or like place for receiving treatment for examination;
- to attend a funeral;
- to accompany members of the police force for a specified purpose or for assisting in the administration of justice,
- to seek employment,
- to live in any other accommodation specified in the permit for any purpose specified in the permit.'

The Act also sets out the following temporary leave provisions:

(2) a temporary leave permit may be subject to various conditions, limitations and restrictions

(3) during temporary leave, a person permitted leave is still deemed to be in legal custody

(4) and (5) a person permitted temporary leave must be issued with a leave permit and carry a copy of the leave permit at all times

(6) and (7) a leave may be cancelled at any time and cancellation takes effect at the end of the day on which the person permitted temporary leave is informed of the cancellation

(8) and (9) a person on temporary leave who fails to return as per the leave conditions is deemed to have escaped custody, unless the failure can be shown to be due to circumstances beyond his or her control

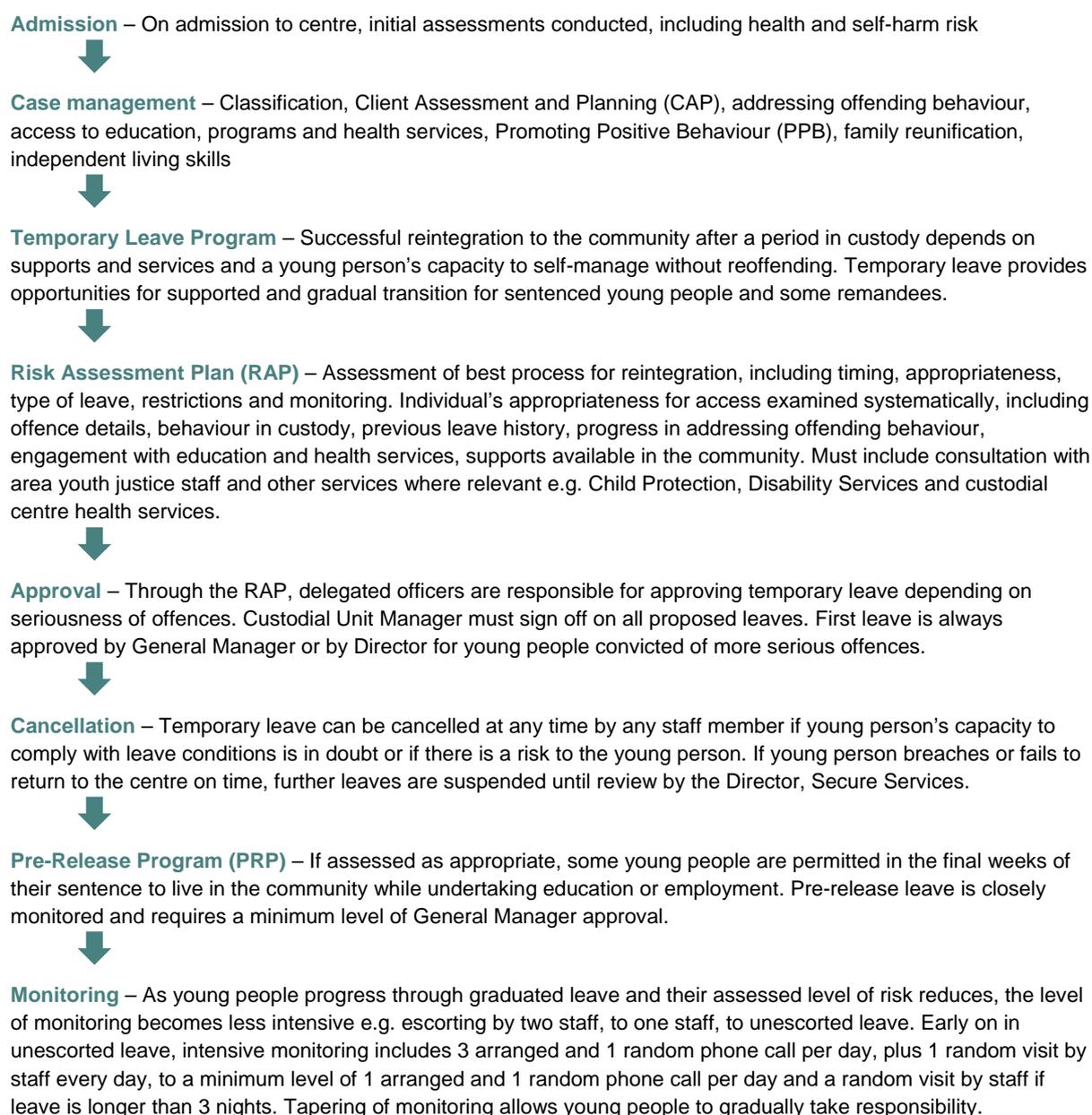
(10) a person on temporary leave must not contravene a condition, limitation or restriction, and if does so, is penalised by a further period of detention of two or three months.

Temporary leave

Temporary leave processes

Young people in custody have access to the Temporary Leave Program, which is designed to support their gradual transition into the community. Planning for temporary leave should begin early in the young person's sentence to allow time for a thorough and staged reintegration process. Although leave is not automatic and eligibility varies, it is part of client service planning and temporary leave arrangements must be consistent with the young person's Client Service Plan. Figure 1 shows the temporary leave process for young people in custody.

Figure 1: Temporary leave process steps



Types of temporary leave

As shown in Table 1, there are various types of temporary leave for different purposes with associated practices and considerations.

Table 1: Overview of types of temporary leave

Type of leave	Purpose	Practice	Considerations
Family and community links	To maintain or re-establish family contacts and strengthen community networks	Day, overnight, weekend at regular intervals Usually 4 weeks minimum time between weekend leaves over first 2/3rds of sentence, then 3 weeks minimum	Individual variations to increase frequency if indicated by client service planning
Employment, education or training	To seek or engage in education, employment, work experience or vocational training	Daily or regular attendance at school, work or pre-employment program while residing at centre	Access to community opportunities
Sporting, recreational or community service	To become involved in positive social activities in the community, such as sports, special projects	Individuals or groups	Sport or recreation requires evidence of rehabilitation benefits for young person
Medical or treatment	To receive specialised community-based treatment for medical, dental or mental health conditions	Based on recommendation of medical or health practitioner	In emergencies, normal authorisation does not apply when the safety and health of a young person is at risk. For hospitalisation without continuous staff escort, inform hospital staff of young person's custody/risk status. As young person remains in legal custody, advise hospital that notification of centre required before discharge
Compassionate	To attend funerals, when a family member or close friend is seriously ill, dying or deceased, or to attend the birth of a young person's child or to visit after the birth	As arises, if appropriate	Substantiate reasons for request by careful checking
Administration of justice	To allow a young person to attend court (where there is no order under S.490 of the CYFA) or to attend official departmental hearings	Where leave is to assist police in their enquiries, police require a court order pursuant to S.46B of <i>Crimes Act 1958</i>	Wherever appropriate, police should be encouraged to carry out interviews of young person on site
Pre-Release Program (PRP)	To reside with family or another approved person or place while attending employment, an education or training program and/or other activities or programs designed to assist in their rehabilitation	Prior to release on parole or remissions. Up to 8 weeks for sentences of 8 months or longer. Refer to <i>Guidelines for Pre-Release Program (PRP)</i>	Must be a minimum of 20 hours per week of a structured program providing employment, education, training or other activities and programs
Interstate	To travel to another jurisdiction	Under exceptional circumstances	Requires consultation with the Youth Parole or Residential Board and approval by Director, Secure Services
Special cultural or religious	To celebrate Christmas or Easter and holidays of other cultural or religious importance	Refer to <i>Guidelines for special leave for young people in custody</i>	Requires approval by Director, Secure Services

Eligibility for temporary leave

Access to the Temporary Leave Program is not an entitlement and is to be based on assessment of relevant considerations. As well as the benefits to the young person, community safety must be considered when deciding if a young person is eligible for the Temporary Leave Program. If a young person is deemed to be eligible for temporary leave, a risk assessment will then be undertaken by the relevant staff member to inform decision-making.

Classification

Young people being considered for temporary leave must initially be classified into one of the security categories based upon a number of criteria, as shown in Table 2.

Table 2: Youth justice custodial security categories

Categories	Descriptor	Offences or considerations
Category One	Convicted of homicide offences, sex offences involving personal injury, or are designated as 'serious offenders' by the Youth Parole Board or Youth Residential Board	<ul style="list-style-type: none"> • murder • manslaughter • attempted murder • culpable driving causing death • arson causing death • sex offences • any other offence where it is deemed the young person poses a high risk to the community
Category Two	Convicted of serious offences (other than homicide or sex offences involving personal injury) and includes young people whose current or prior offences (within the previous year) includes one or more of the offences listed	<ul style="list-style-type: none"> • aggravated assault • firearm offences • armed robbery • arson • intentionally causing serious injury • recklessly causing serious injury • any other offences involving serious personal injury
Category Three	Young people with lower level offences	Temporary leave decisions must reflect the increased risk of problems occurring on leave for a young person with any of the contra-indicators listed as key factors regarding eligibility
Remand	Generally not eligible for temporary leave except for -	<ul style="list-style-type: none"> • medical emergencies • escorted compassionate leave • escorted leave for authorised police investigations • court-authorised leave

Eligibility indicators

Consideration must be given to a range of factors in making individual temporary leave recommendations and decisions. In relation to offending, consideration needs to be given to the nature and seriousness of offences, the sentence imposed and community expectations. Other factors for consideration of eligibility include: the young person's behaviour in custody and previously; the young person's character; and community links and associates. These are outlined in Table 3.

Table 3: Key factors regarding eligibility for temporary leave

Factors	Indicators	Contra-indicators
Offence	<ul style="list-style-type: none"> • Less serious nature of offences • No outstanding charges 	<ul style="list-style-type: none"> • Category 1 classification or any other offence where it is deemed the young person poses a high risk to community safety • Is viewed as an unacceptable risk of committing further offences while on temporary leave • Higher risk of non-compliance due to outstanding charges likely to attract additional period of detention
Relevant behaviour	<ul style="list-style-type: none"> • Positive behaviour in custody, includes interaction with staff and peers • Time already spent in custody relative to length of sentence - see timelines for temporary leave eligibility (see Table 4) • Compliance with previous court orders and temporary leave conditions • Participation in ongoing treatment, education, support services 	<ul style="list-style-type: none"> • Involvement with incidents in custody • History of escaping or absconding from legal custody; considered a flight risk • Has failed to comply with previous court orders and temporary leave conditions • Risk of contacting victims; could endanger safety and welfare of others • Risk of interfering with witnesses or co-accused • Risk of contacting co-offenders
Individual characteristics	<ul style="list-style-type: none"> • Progress made in addressing their offending behaviour • Awareness of the impact of their offending on their victim and/or community • Clear rehabilitative and reintegration benefits of temporary leave to individual 	<ul style="list-style-type: none"> • Lack of progress or motivation to change • Lack of victim awareness • Whether a young person would be likely to harm themselves while on leave
Relevant information	<ul style="list-style-type: none"> • Appropriate active supervision • Supportive family, carer or other relationships • Stable/suitable accommodation • Employment opportunity or participation in community education/training • Willing to access support services • Verification and suitability of proposed transport arrangements 	<ul style="list-style-type: none"> • Lack of appropriate supervision, supports and activities by relatives, an adult friend, departmental staff or suitable others • Negative comments and opinions of relevant people, such as parents/carers, area youth justice staff, Child Protection and Disability Services staff (where relevant) and other services involved with the young person

Note: No weighting has been given to each indicator or contra-indicator as a range of different factors influence suitability.

Timelines for eligibility

The type of temporary leave effects when a young person becomes eligible for temporary leave. For the purposes of medical/treatment, compassionate or administration of justice, temporary leave is not tied to the young person's length of sentence but to the immediate situation and requirements.

Other types of temporary leave are tied to sentence management and become available at different points in time depending on the length of the young person's sentence, as shown in Table 4. As part of a gradual transition into the community, it can be seen that temporary leave begins as escorted before being unescorted, and extends from shorter to longer and overnight leave.

Table 4: Timelines for temporary leave eligibility

Stages	Sentence length						
	6 months	9 months	12 mos.	18 mos.	24 mos.	30 mos.	36 mos.
Temporary leave risk assessment	5 weeks	8 weeks (2 mos.)	8 weeks (2 mos.)	12 weeks (3 mos.)	12 weeks (3 mos.)	16 weeks (4 mos.)	20 weeks (5 mos.)
Escorted leave	6 weeks	10 weeks	10 weeks	14 weeks	16 weeks (4 mos.)	20 weeks (5 mos.)	24 weeks (6 mos.)
Unescorted leave	7 weeks	11 weeks	12 weeks	18 weeks	5 mos.	6 mos.	7 mos.
O/N leave	8 weeks	13 weeks	14 weeks	20 weeks	7 mos.	8 mos.	10 mos.
Pre-Release Program (PRP)	10-12 weeks	14-18 weeks	16-22 weeks	6-8 months	8-10 months	9.5-11.5 months	11-13 months
Possible parole	12 weeks	4.5 months	5.5 months	8 months	10 months	11.5 months	13 months

Note: Previously, local program leave for longer sentences of 24, 30 and 36 months commenced at 3, 4 and 4 months respectively until May 2014 when changed to commence at 4, 5 and 6 months respectively. However, 7 leaves are required prior to PRP, including 2 local, 2 family, 2 unescorted and 1 overnight. For these longer sentences, the temporary leave process has been readjusted to enable sufficient time for 7 leaves to occur and eligibility for PRP at the designated times of between 8-13 months.

Special eligibility considerations

Victims

In all cases of temporary leave, it is a standard condition that the young person does not have any direct or indirect contact with the victim or their family, including electronically.

Even so, careful consideration must be given to the impact of a young person's temporary leave on any victims of their offences. This is to consistently identify any risk to victims and to manage the risks associated with the young person re-entering the community. It is particularly important where the offence has been committed against an individual person and where there is a likelihood that contact may occur due to the location of the leave, for example, in small rural communities.

The Youth Parole Board (YPB) has developed a Victim Register to mitigate the potential of victims to be re-traumatised by a young person's reintegration into the community. Inclusion on the register is determined by the YPB based on any of the following factors:

- Whether violence was involved in the offence
- The intimacy of the act
- Whether the perpetrator is known to the victim or vice versa

- The proximity of the perpetrator and victim's residences
- The likelihood that the perpetrator and victim will see each other again.

Further, it is a requirement of the YPB that the Secretary of the YPB be notified of all young people applying for Pre-Release Program (PRP) leave. This enables the YPB to cross-reference young people's names with the Victim Register. If the young person is registered, the YPB will liaise with the Police informant to seek advice about victim considerations and specific special conditions for the young person's release into the community.

Remandees

Except for Category One offenders, if a young person is very settled and is considered unlikely to abscond, consideration may be given to granting leave to facilitate a community placement after court. In this circumstance, carefully structured visits to a prospective caregiver or other approved placement may be approved following a risk assessment.

Consultation with the police informant should occur before compassionate or other discretionary leave is granted.

A minimum of two staff is required for escorted leave for remandees. Temporary leave for remanded young people requires the approval of the Director, Secure Services.

Pending charges and bail

Sentenced young people who are also on an order under S. 333 of the *Criminal Procedures Act 2009* pending the hearing of other charges, or who have been returned to youth justice custody under S. 5A of the *Bail Act 1997*, are eligible for temporary leave.

In carrying out the temporary leave risk assessment, young people on a S. 333 or S. 5A order are to be assessed as a *higher risk* of escape if the pending charges are likely to attract imprisonment or an additional period of detention.

The approval of the General Manager of the precinct is required for the first escorted and all unescorted leaves following the S. 333 or S. 5A order being imposed.

Once the pending charges have been dealt with and the young person is no longer on a S. 333 or S. 5A order, normal guidelines in these procedures apply.

Assessing and planning for risk

The Temporary Leave Program operates within a risk management framework. If a young person is eligible for temporary leave, a risk assessment for temporary leave and plan for management of leave will then be undertaken to inform decision-making by the relevant authorised officer.

Decisions about temporary leave must be based on accurate and comprehensive information and must balance considerations of community safety with the benefits of reintegration and rehabilitation for the young person.

Temporary leave Risk Assessment and Plan (RAP)

A temporary leave Risk Assessment and Plan (RAP) must be completed for all young people being considered for temporary leave. The RAP is a structured, evidence-based risk assessment informed by key factors regarding eligibility for temporary leave (see Table 3, p.6) and timelines regarding eligibility (see Table 4, p.7) and it specifies a plan for the young person's temporary leave. It includes information concerning:

- details of the current offence(s) and security category
- consultations carried out, for example, with the area youth justice team, Child Protection, Youth Parole Board, health staff, MAPPS staff, families and caregivers, Disability Services, police
- relevant behaviour of the young person in custody and their compliance with previous court orders and temporary leaves
- eligibility based on time already spent in custody relative to length of their sentence
- participation in ongoing treatment, education and support services
- progress in addressing their offending behaviour
- family and/or other community supports
- any issues concerning victims and the young person's awareness of the impact of their offending on the victim/s and the community
- specific identified risks to successful completion of leave and steps to be taken to manage the risks
- proposed leave arrangements including destination, escort arrangements (if applicable), accommodation, caregiver, transport arrangements, special conditions, duration, frequency and other appropriate details, and
- proposed supervision and monitoring arrangements.

See Attachment 1 for the Temporary leave Risk Assessment and Plan (RAP) 2015.

Process for RAP

Consultation must occur with the relevant youth justice case worker in the community about proposed leave arrangements before leave commences and at other points of significant decision-making. The youth justice case worker must consult with their Team Leader to ensure that the proposed leave arrangements are satisfactory. Background information should be sought from any departmental workers who have been previously involved with the young person.

Parents or other persons providing accommodation for a young person during temporary leave must be assessed to ascertain that they are able and willing to accept responsibility for the young person on leave. Similarly, employment and training leave options must be carefully checked and verified.

Comments from all relevant consultations for the RAP must be provided to the custodial person responsible for authorising the leave at least three (3) days before the leave is planned to commence for the General Manager and at least seven (7) days before the leave is planned to commence for the Director's approval.

Figure 2: Risk Assessment and Plan (RAP) process steps

Youth justice centre Key Worker

- Develops RAP in consultation with client's allocated youth justice case manager in the community and discusses type of proposed leave, purpose, any identified risks, supports available
- Seeks information from other services involved with young person e.g. Child Protection, Disability Services, health staff, Aboriginal Support Worker
- Contacts parents or caregivers for comments and to assess accommodation suitability if overnight stay
- Checks and verifies employment and training leave options if appropriate to leave
- Provides comment of support in authorisation section of RAP and forwards to Unit Coordinator



Youth justice centre Unit Coordinator

- Reviews the RAP, provides comment of support in authorisation section and actions for follow-up to Unit Manager



Youth justice centre Unit Manager

- Supports RAP in authorisation section and **7 (SEVEN) days or earlier** before proposed leave if the Director's approval is required and **3 (THREE) days or earlier** before proposed leave if the General Manager's approval is required, actions for follow-up to CRIS work list of allocated youth justice area Case Manager
- Also emails the allocated Case Manager and their Team Leader: 'Please give attention to RAP' because correspondence to **two** area workers acts as back up if the allocated Case Manager is away



Youth justice area Case Manager

- Briefs their team leader on the young person, circumstances of proposed leave, and issues of concern
- Creates new document version in CRIS and adds comments in relevant consultation section
- Unless exceptional circumstances exist, input must occur at least **3 (THREE) days** prior to leave occurring
- Generates document and actions to their team leader for follow up



Youth justice centre Unit Manager

- If comments from area are not timely, youth justice centre Unit Manager to ring and assertively follow up for input from area Case Manager and at a minimum, use verbal quotes from phone consultation
- Must sign off on all proposed leaves
- Actions for follow up to youth justice centre General Manager



Approval – by youth justice centre General Manager or by Director, Secure Services if required

Approval requirements

Through the RAP, delegated officers are responsible for approving temporary leave. Young people classified into different security categories require different authorisation levels and considerations for temporary leave. For young people convicted of more serious offences, first leave is always approved by the General Manager or by the Director. All leave proposals for young people must be approved in writing. Table 5 sets out approval requirements for different security categories. Higher levels of approval may be required in some circumstances, as shown in Table 6.

Table 5: Temporary leave approval requirements for different security categories

Categories	Escorted leave	Unescorted leave	Considerations
Category One	<p>Client Assessment and Plan (CAP) and Risk Assessment Plan (RAP) completed</p> <p>Satisfactory behaviour in custody (use Promoting Positive Behaviour (PPB) graphs for evidence at Parkville Precinct)</p> <p>Approval by Director, Secure Services for initial leave. Approval by General Manager of custodial precinct for subsequent leaves. Approval by Director, Secure Services following a previous abscond or breach. On-Call Manager or Operations Manager can approve escorted leave in emergency situations or in exceptional circumstances only, and must notify Director, Secure Services prior to (where possible) or immediately after leave commences</p>	<p>Must have served at least 25% of their sentence</p> <p>Satisfactory RAP and behaviour in custody (check PPB graphs at Parkville)</p> <p>Successfully completed escorted leave</p> <p>Approval by Director, Secure Services for initial leave. Approval by General Manager of custodial precinct for subsequent leaves. Approval by Director, Secure Services following a previous abscond or breach.</p>	<p>If, during either escorted or unescorted leave, the young person absconds or significantly breaches the leave conditions, for example, by offending or using drugs, the Director, Secure Services must approve the next leave after considering a further risk assessment report.</p> <p>For young people convicted of sex offences, consultation regarding their suitability for temporary leave must occur with staff from the Male Adolescent Program for Positive Sexuality (MAPPS).</p> <p>Note that in some cases the Director, Secure Services, may decide that a Ministerial briefing and/or a temporary leave risk assessment report is to be submitted to the Youth Parole/Residential Board for comment prior to the proposed temporary leave</p>
Category Two	<p>Client Assessment and Plan (CAP) and Risk Assessment Plan (RAP) completed</p> <p>Satisfactory behaviour in custody (use Promoting Positive Behaviour (PPB) graphs for evidence at Parkville Precinct)</p> <p>Approval of escorted temporary leave by General Manager. On-Call Manager or Operations Manager can approve escorted leave in emergency situations or in exceptional circumstances only, and must notify Director, Secure Services as above</p>	<p>Must have served at least 12 weeks of a 12-17 month sentence or 18 weeks of 18 month or longer sentences.</p> <p>Satisfactory RAP and behaviour in custody</p> <p>Successfully completed escorted leave</p> <p>Approval by Director, Secure Services for initial leave. Approval by General Manager of custodial precinct for subsequent leave. Approval by Director, Secure Services following a previous abscond or breach.</p>	<p>If, during either escorted or unescorted leave, the young person absconds or significantly breaches the leave conditions, for example, by offending or using drugs, the Director, Secure Services must approve the next leave after considering a further risk assessment report.</p> <p>Note that in some cases the Director, Secure Services, may decide that a Ministerial briefing and/or a temporary leave risk assessment report is to be submitted to the Youth Parole/Residential Board for comment prior to the proposed temporary leave</p>
Category Three	<p>Client Assessment and Plan (CAP) and Risk Assessment Plan (RAP) completed</p> <p>Satisfactory behaviour in custody (use PPB graphs)</p> <p>Approval of initial leave by General Manager and by Operations Manager for subsequent leaves. Unit Manager can approve if others unavailable.</p>	<p>Satisfactory RAP and behaviour in custody</p> <p>Successfully completed escorted leave</p> <p>Approval of initial leave by General Manager and by Operations Manager for subsequent leaves. Unit Manager can approve if others unavailable.</p>	<p>If, during either escorted or unescorted leave, the young person absconds or significantly breaches the leave conditions, for example, by offending or using drugs, the Director, Secure Services must approve the next leave after considering a further risk assessment report.</p>

Table 6: Temporary leave circumstances requiring a higher level of approval

Circumstance	Approval
Special cultural or religious leave	Director, Secure Services
Interstate leave	Director, Secure Services
Remandees	Director, Secure Services
Escorted leave in emergencies or in exceptional circumstances	On-call Manager or Operations manager, who must notify Director, Secure Services prior to (where possible) or immediately after leave commences
After s.333 order for first escorted and all unescorted leaves	General Manager

Temporary leave permits

Leave permits

All leaves of absence from a youth justice centre require written authorisation before the leave commences (except in emergency situations). After written authorisation for leave has been given by a person with delegated authority, a *leave permit* which specifies the conditions under which leave is granted is to be signed by a staff member of at least shift supervisor rank and issued to the young person.

The young person must be issued with a leave permit that clearly states:

- time and date of the start and finish of the leave
- caregiver/ host/ accommodation provider details
- other conditions appropriate to the circumstances of the young person
- leave arrangements.

Young people are to be advised about the terms of the permit and any special conditions on their leave permit. The young person must acknowledge their understanding and acceptance of the leave conditions, both verbally and by signing the leave permit. Further, the young person must carry the leave permit at all times during the temporary leave (section 267, *Children, Youth and Families Act 2005*).

In the case of escorted leave, escorting staff are to sign the leave permit prior to the commencement of leave to indicate their understanding of the leave conditions. Escorting staff are to keep a copy of the leave permit in their possession for the duration of the leave so they can refer to this if in doubt about the leave conditions.

Leave permits are to be issued for a **maximum period of seven days** and must be carried at all times during the temporary leave. A new leave permit must be authorised and issued prior to the expiration of the current leave permit to maintain the authorised leave status of the young person.

Conditions that may be listed on temporary leave permits include:

- details of responsible adult/caregiver during leave
- curfew hours while on leave
- requirements for contact with the youth justice centre from which the leave is occurring
- supervision or reporting arrangements
- instructions in the event of breach of leave conditions or change of leave conditions
- response to lawful instructions by a departmental officer
- avoidance of particular localities and/or people
- requirement to attend work, school, court, counselling, etcetera and
- any other special conditions being specified as relevant to the young person's circumstances.

Young people who have been convicted of crimes of violence against the person must only be granted temporary leave on the condition that they make no attempt directly or indirectly to contact any person who may be reasonably categorised as a victim of the crime for which the young person has been convicted. In such cases, a special condition must be written on the leave permit, '*not to contact ...*'.

Custodial unit staff and PRP Coordinators are responsible for monitoring the conditions of the leave permit, for example, by escorting the young person closely or with unescorted temporary leave, by visiting the young person and by checking with parents, caregivers and employers in person or by phone.

Before the current leave permit expires, a new leave permit must be authorised and issued by the youth justice centre to maintain the authorised leave status of the young person.

The authorised representative of the Secretary of the Department of Human Services may at any time before the end of the period of the temporary leave, cancel the temporary leave permit (*Children, Youth and Families Act 2005*, section 485(6)). The cancellation takes effect at the end of the day on which the person is informed of the cancellation of the permit (*Children, Youth and Families Act 2005*, section 485(7)).

The young person may be notified of the cancellation and on the same day, be immediately returned to custody. Where this occurs, the person may be in custody with a temporary leave permit continuing, given that a temporary leave permit cancellation does not take effect until the end of the day the person is notified of the cancellation.

Breaches of leave

Failure to comply with temporary leave conditions, including conditions for the Pre-Release Program, and consequences for breaches of temporary leave are outlined in Table 7. Consequences for breach of leave conditions, however, depend on the seriousness of the breach and any other circumstances. For example, if a breach is a serious violation of one or more conditions, a warning or counselling in the first instance is inappropriate. If a breach is minor, consequences may be more flexibly decided on an individual basis.

Table 7: Breaches of temporary leave and associated consequences

Breaches	Consequences
Fails to comply with conditions stipulated on the leave permit	<ul style="list-style-type: none"> Given a warning or counselled about their behaviour in the first instance If they continue to violate the conditions after receiving a warning or counselling, the leave permit should be cancelled and the young person returned to the youth justice precinct as soon as possible
Fails to return to the youth justice precinct at the expiration of the leave authority	<ul style="list-style-type: none"> If a young person does not comply with a direction to return to the precinct, or has absconded, the temporary leave permit should be cancelled and the police notified to apprehend the young person Where possible, young people should be informed of this decision prior to the police being contacted, to give them every opportunity to return voluntarily
Offends during the period of leave	<ul style="list-style-type: none"> Charged and returned to custody at the youth justice precinct

Young people who breach the conditions of their leave or have serious problems while on leave should be encouraged to return to the precinct as soon as possible. If the young person is unable or unwilling to comply, the temporary leave permit should be cancelled and the police notified to apprehend the young person.

Young people on Pre-Release Program leave who are unable or unwilling to adhere to the conditions agreed to in the Pre-Release Program leave plan may be given a warning and/or counselled about their behaviour in the first instance. Repeated or continuous failure to respond positively to advice and/or directions given by either custodial or area youth justice staff should result in cancellation of the leave permit and return to custody.

Any breach of leave conditions is an offence and on this basis the police can arrest a young person. The police can also arrest a young person as an escapee once the cancellation of a leave permit takes effect.

If the young person fails to return to a precinct by the time their leave permit expires and has not contacted the precinct, custodial unit staff should contact them to find out why they have not returned.

If there are reasons beyond the young person's control, the Unit Manager or On Call Manager may consider giving them additional time to return, rather than calling police immediately. If there is no acceptable reason, the permit must be immediately cancelled and police notified.

Similarly, if the young person has contacted the precinct prior to the expiration of their leave, and senior unit staff are satisfied that there is an acceptable reason for them returning late, they should be given time to return to the precinct without the police being notified.

After a breach or abscond from leave, a new Risk Assessment and Plan (RAP) and pre-release leave plan must be submitted to the Director, Secure Services, for any further application for leave. Further leave should not be planned until this has occurred and a plan developed for reinstating leave privileges.

Supervision and monitoring of temporary leave

Supervision arrangements

Supervision appropriate to the age, maturity, personal characteristics and degree of risk posed by the young person must be available to ensure that the conditions of the temporary leave are adhered to. There is a range of supervision options available including any of the following:

- escorted by staff (one or more)
- unescorted day leave (monitored from the youth justice centre)
- supervision by parents, a relative or other responsible adult
- supervision by a volunteer or non-government funded service provider
- supervision by or reporting to a regional departmental worker, for example, youth justice unit, Child Protection services
- reporting to police.

Monitoring requirements for security categories are shown in Table 8.

Table 8: Monitoring requirements for security categories

Security category	Level of monitoring required
Category 1	<ul style="list-style-type: none"> • Intensive level
Category 2	<ul style="list-style-type: none"> • Initially intensive level • May move to minimum level after three (3) successful unescorted leaves • Any default requires a return to intensive level of monitoring if/when leave resumes
Category 3	<ul style="list-style-type: none"> • Initially intensive level • May move to minimum level after judgement by General Manager that risk of problems has decreased sufficiently • Any default requires a return to intensive monitoring if/when leave resumes

Escorted leave

Escort arrangements should reflect the assessed security risk of the young person(s) being granted leave. More than one staff member may be required to escort some individuals. Staff escorting young persons who are assessed as a high security risk must be vigilant and must remain in close proximity to the young person at all times. Escort responsibilities should generally involve constant supervision, including sight or sound, although this will not always be possible or practical.

A minimum of two escorting staff are required when temporary leave is granted for leave to hospital, during the initial leave to a young person's family and for remandees. This practice should also be followed in other situations of increased risk of absconding or breach of leave conditions such as after a young person receives a new sentence, has absconded or has breached their leave during a previous home visit.

Where a young person attempts to abscond from leave, staff should take the following steps, as appropriate, to try to prevent the absconding:

- attempt to reason with the young person

- use force which is reasonable and not excessive to restrain the young person
- give chase within the immediate vicinity of the incident but only if this does not endanger the young person or the staff.

Whenever staff are escorting individuals or groups of young people on temporary leave, they must have access to a mobile telephone at all times to enable prompt reporting of any difficulties during the leave. On group excursions involving more than one vehicle, a mobile telephone should be available in each vehicle.

See the *Youth Justice Custodial Practice Manual* for more specific information about escorting procedures. This includes: preparation for leave, temporary leave permits, leave master list, staffing levels, staff duties when supervising temporary leave, supervision of young people in hospital, staff breaks, travel in vehicles, young people's use of money while on escorted leave, communication, changes to leave plans, medical escort, members of the public communicating with the young person on leave, termination of leave, and specific procedures for return from escorted leave.

Unescorted leave

In some situations, custodial staff provide supervision to young people on unescorted temporary leave, for example, transport purposes or supporting a young person attending a medical appointment. The youth justice precincts maintain responsibility for a young person while they are on temporary leave, regardless of any support provided to young people on leave by caregivers, accommodation providers, employers, schools, area youth justice workers or other interested parties.

All young people going on unescorted leave must carry an appropriate and valid temporary leave permit on their person and that they understand the conditions under which the leave is granted. If the young person is going on leave with their family, staff must contact a suitable family member before the leave commences to explain the conditions of the leave.

If it is appropriate for a young person to have money for their leave, withdrawal from their finances must be organised and staff must record the amount in the client file. Upon return to the precinct, unspent money is to be recorded in the client financial record and the cash returned to secure storage.

For both escorted and unescorted leave, temporary leave plans must not be altered, unless approved by the General Manager, Operations Manager or the On Call Manager. This must be documented in case notes and the leave permit updated when this occurs.

If approval for the change is not obtained from the General Manager, Operations Manager or the On Call Manager, the temporary leave should either take place as originally planned, or must not take place at all.

Minimum monitoring standards for unescorted temporary leave

The standards listed below are minimum expectations for young people who are on temporary leave. Each youth justice precinct must record details of monitoring in the young person's file.

Generally it would be expected that a young person (except for those in Category 1) would move progressively from intensive level monitoring to the standard level of monitoring after successful leaves. At any time, changed circumstances may warrant re-imposition of intensive monitoring.

A higher level of monitoring arrangements can be specified by the Unit Manager or Unit Coordinator where necessary for unescorted overnight leaves or unescorted leaves lasting more than 24 hours.

For young people on shorter unescorted leaves, the level of monitoring should be determined by the Unit Manager or Unit Coordinator case by case, taking into account the length of leave and the individual risk assessment.

The Unit Supervisor is responsible for ensuring that appropriately experienced staff are allocated to monitor unescorted leave and that monitoring takes place as specified below. The Unit Supervisor also

ensures that details of the monitoring are recorded in the case notes section of the young person's client file.

Intensive level of monitoring for unescorted temporary leave

It is a requirement that all young people begin unescorted leave at the intensive level of monitoring. This level comprises:

- a minimum of one face-to-face visit each day of the leave between the young person and custodial staff or another authorised person (for example, the Area Youth Justice Worker or a non-government service provider)
- a minimum of three arranged telephone calls to or from the young person each day of the leave. One of these calls should be timed to ensure that the young person is complying with any curfew specified on the leave permit
- a minimum of one random telephone call to the young person each day of the leave.

Minimum level of monitoring for unescorted temporary leave

This level comprises:

- one face-to-face visit each day of the leave between the young person and custodial staff or another authorised person (for example, the Area Youth Justice Worker or a non-government service provider)
- one arranged phone call per day to ensure that the young person is complying with any curfew specified on the leave permit
- one random telephone contact for each day of the leave.

Minimum level of monitoring for pre-release program leave

This level comprises:

- two contact visits by custodial staff with the young person each week. Contact at this frequency should also occur with the accommodation provider and the employer/training provider, where this applies
- one arranged phone call per day to ensure that the young person is complying with any curfew specified on the leave permit
- two random telephone contacts each week (spread across the week).
- Youth justice precinct and Area Youth Justice Staff are to jointly develop arrangements for a young person's Pre-Release Program leave and are to jointly monitor and support the young person during this leave.

Where people other than youth justice precinct staff monitor the young person, the young person must be clearly told who is responsible for monitoring them on leave and that they must follow the directions of the designated person or persons.

The Pre-Release Program leave monitoring arrangements that have been negotiated and agreed to between the precinct and the area youth justice staff are to be recorded by the Key Worker, placed in the client file and a copy given to the area youth justice worker.

The young person may be required to return to the precinct periodically throughout a Pre-Release Program leave period. However, in circumstances where it is judged to be in the young person's best interests not to return to the precinct throughout all or a significant part of the Pre-Release Program leave, this should be negotiated and agreed between the precinct and the area youth justice team.

Return from leave

On return from unescorted leave, a protocol is followed to search each young person. The copy of the leave permit carried by the young person must be destroyed and the outcome of the leave must be recorded in case notes and entered into the Client Relationship Information System (CRIS). Client reporting procedures must be followed if any incidents occurred during the leave.

Termination of leave

If a young person appears to be at risk of harm, the youth justice custodial or community staff member must immediately inform the youth justice precinct: the Unit Supervisor, other unit management or, after hours, the On Call Manager. The Unit Supervisor, other unit management or the On Call Manager should then contact the young person and make an assessment of the risk.

If a young person is at significant risk, has been subject to abuse, has engaged in substance use or is likely to breach their leave, the Unit Supervisor, other unit management or the On Call Manager should terminate the leave and arrange for the young person to return to the precinct.

If there are immediate medical concerns for the young person, an ambulance should be called or arrangements made for the young person to be taken to a doctor or hospital, and for custodial unit staff to attend as soon as possible.

The Unit Manager is required to give formal authorisation for cancellation of leave, although this may be given retrospectively. In any of the above situations, the staff member involved must write thorough case notes detailing the situation.

Absconding and attempted absconding from leave

When young people in custody are on temporary leave, the safety of staff, the young person and the broader community is paramount. If staff or young people are subject to verbal abuse, offensive comments, violence, verbal or physical sexual advances, or in any other way feel unsafe, staff must terminate the leave and return the young person to the precinct. This also applies if the young person is threatening or abusive to the escorting staff or to a member of the public, or is refusing to comply with directions given to them by staff.

If a young person is threatening to abscond, the escorting staff member should initially attempt to reason with them to convince them to return to the precinct. If this is unsuccessful, staff may use reasonable force to restrain a young person who is attempting to abscond.

Physical restraint during leave

Any force used must not be excessive. The focus must be on acting in a reasonable manner and being mindful of safety of the young person, the staff member applying physical restraint and any other people in the vicinity.

If the young person is not complying with staff directions, and staff consider they are in immediate danger, staff must leave the area without the young person and contact the precinct for further instruction. If necessary, the police should be contacted.

Any action taken to prevent a young person absconding must not endanger members of the public. It is not appropriate to request or seek assistance from members of the public.

Pursuing a young person

If a young person attempts to abscond by running away, staff are expected to give chase within the vicinity of the incident, but only if this does not place the young person, staff members or others in danger. If possible, the young person should be pursued, kept in sight for as long as practicable, and their movements reported by mobile phone to the police.

If, after being apprehended, the young person continues to exhibit violent or aggressive behaviour and there is a risk of serious harm to themselves or others, the police must be called and the young person's movements relayed to the police.

If the young person has been successfully apprehended in the vicinity of the precinct (for example, within a short walk), the young person must immediately be returned to the precinct. In these circumstances, if the police have not already been contacted, they must be contacted upon the young person's return to the precinct.

If the young person has been apprehended away from the precinct or physically refuses to return to the precinct, the police must be called to attend and the precinct advised of the situation.

Reporting requirements

The Youth Parole Board Secretariat must be notified immediately of any young person who absconds from leave, returns from absconding or is apprehended and detained.

The General Manager of the precinct must submit an incident report to the Director, Secure Services for any incidents of absconding from temporary leave.

A copy of the incident report is to be forwarded to the Youth Parole Board Secretariat.

Guidelines for the Pre-Release Program (PRP) and Special Leave

Guidelines for Pre-Release Program (PRP)

As a young person progresses through their sentence, pre-release and transitional planning should become a priority in case management. To qualify for the Pre-Release Program (PRP), young people must have successfully completed escorted and unescorted leaves before being eligible for the PRP (refer to Table 4: Timelines for temporary leave availability). Note that young people serving short sentences have a tighter timeframe to reach unescorted leave status and be eligible for the PRP.

Length and timelines for pre-release leave

Young people serving sentences of less than six (6) months may be granted pre-release leave of up to one (1) week for every month served of the court sentence. For example, six (6) weeks is available for a six month sentence and four (4) weeks for a four month sentence. For sentences of eight (8) months or longer, up to eight weeks of pre-release leave is available.

The PRP becomes available at different points in time depending on the length of the young person's sentence. Table 9 shows the length of time before parole when the PRP becomes available for different sentence lengths.

Table 9: Availability of Pre-Release Program (PRP) prior to parole by sentence length

	Sentence length						
	6 months	9 months	12 months	18 months	24 months	30 months	36 months
Availability of PRP prior to parole	⇓	⇓	⇓	⇓	⇓	⇓	⇓
	10-12 weeks	14-18 weeks	16-22 weeks	6-8 months	8-10 months	9.5-11.5 months	11-13 months

Planning for pre-release leave

In developing a young person's pre-release leave plan, both the youth justice precinct – with the PRP Coordinator taking a lead role – and the relevant area youth justice case manager are involved. Both also share in the supervision and support tasks during the pre-release period. However, during the period of pre-release leave in the community, the young person remains in the legal custody of the department and the youth justice precinct retains primary responsibility for the young person.

Assessment for PRP

As part of a Risk Assessment and Plan (RAP), in assessing a young person's suitability for the PRP, the following factors particularly need to be taken into account:

- Past performance on temporary leave, especially unescorted and any problems they have had
- Previous length of temporary leave and whether a young person has participated in overnight leaves before being approved for temporary leave for an extended period
- Specific benefits for each young person, for example, the extended opportunity to re-connect with family, re-integrate into school or start employment

- Behaviour while in custody, for example, if a young person has engaged in negative and disruptive behaviour during their sentence, they may be dealing with issues that could impact on their ability to successfully comply with the conditions of extended leave.

The Unit Co-ordinator or Key Worker undertakes the assessment for pre-release leave as shown in Table 10.

Table 10: Development of pre-release leave suitability by PRP Coordinator

Interview the young person	<ul style="list-style-type: none"> • Help them to think about the possibility of pre-release leave • Encourage them to think about how pre-release leave might promote their successful reintegration into the community and minimise the likelihood of reoffending
Assess suitability of accommodation	<ul style="list-style-type: none"> • Work with Area Youth Justice Case Manager • Interview parents or other people providing accommodation to check their willingness and ability to accept responsibility for the young person on leave • If there are potential problems with other people living at the proposed accommodation, help the young person with the issues or relationships, or arrange an alternative placement to prevent issues arising that may prevent the young person maintaining their leave conditions
Develop education/training/employment and other reintegration activities	<ul style="list-style-type: none"> • Work closely with the young person to help them gain employment or enrol in an education or training course as part of their pre-release leave plan • Pre-release leave requires a structured program of a minimum of 20 hours per week

Consultation

The Area Youth Justice Case Manager, health staff, program and service providers, Child Protection (where relevant) and Disability Services (where relevant) should be involved in organising links with community services in the young person's local community. Where appropriate, the Aboriginal Support Worker and Cultural Support Worker should also be involved.

Any issues identified by any of these workers that may impact on the young person's ability to maintain the conditions of pre-release leave should be incorporated into the pre-release leave plan.

In cases where young people are subject to guardianship orders or are under the custody of the Secretary for Child Protection matters, endorsement of leave arrangements should be sought from the regional Child Protection Unit Manager.

Information about pre-release leave must be included in the Custodial Progress Report (CPR) to the Youth Parole or Youth Residential Board. It is a requirement of the Board that the Secretary be notified of all young people applying for Pre-Release Leave. This enables the Board to cross-reference young people's names with the Victim Register. If the young person is registered, the Board will liaise with the Police informant to seek advice about victim considerations and specific special conditions for the young person's release into the community.

Pre-release leave plan

The Pre-Release Program (PRP) Coordinator takes a lead role in working with the area youth justice case manager and the young person in developing a detailed pre-release leave plan. The PRP Coordinator's planning responsibilities are:

- Preparing pre-release plan in consultation with the area youth justice case manager
- Negotiating and documenting appropriate supervision and monitoring arrangements with the area youth justice case manager
- Completing relevant documentation and signed agreements before leave application is submitted to the General Manager
- Recording details of the young person's pre-release leave plan in their client file

- Ensuring the area youth justice case manager has a signed copy of relevant documentation.

The pre-release leave plan should specify the roles and tasks to be undertaken by the youth justice precinct worker and others in supervising and supporting the young person during the pre-release leave period. The plan is to contain information about all relevant issues and services including: accommodation; education, training and employment; health services; medication; any other services, as appropriate.

Leave permits and breaches of PRP leave

All pre-release leave from a youth justice precinct requires written authorisation (a leave pass) before the leave commences, and must be entered onto the master leave list at the precinct and be signed by the General Manager. Young people are to be advised about the terms of the permit and any special conditions on their leave permit.

Failure to comply with temporary leave conditions for the Pre-Release Program and consequences for breaches of temporary leave are outlined in Table 7. Consequences for breach of leave conditions, however, depend on the seriousness of the breach and any other circumstances.

Guidelines for special leave for young people in custody

Leave may be granted at Christmas and Easter and other holidays of cultural or religious importance to young people who qualify under the following conditions:

Eligibility

Young people are eligible to be considered for special leave of three (3) days plus travel, with a maximum special leave period not exceeding four (4) days. This equates to 96 hours in total.

A young person can only go on a type of leave they have successfully completed in the past – for example, to go on an unescorted special leave, they must have previously been on an unescorted leave and have successfully completed it.

Note that young people who are granted unescorted temporary leave for any purpose over the special leave period (for example, day leave or normal weekend leave) are to be considered to be on special leave and decisions made in accordance with this.

Risk assessment and monitoring

A Risk Assessment and Plan (RAP) must be carried out for each young person being considered for special leave. The risk assessment must confirm that each young person has appropriate family, relative or community support and supervision during the special leave period.

Consideration must be given about special conditions tailored to the individual requirements of each young person being granted special leave. Young people are to be advised about any conditions on their leave permit, including prohibition of any contact with victims of their crime.

Special leave monitoring is to be carried out on an intensive or standard basis. All contacts with the young person while on special leave are to be recorded.

Consultation and approval

In the planning of special leave, proposals must be discussed with relevant area youth justice staff. Furthermore, youth justice custodial staff must inform the relevant area youth justice team of any special leaves granted to young people in their area, even if the youth justice team has no formal case management responsibility. The General Manager at the youth justice precinct must ensure that the necessary liaison has occurred.

Where young people are also Child Protection clients, special leave proposals should be discussed with the allocated Child Protection Worker and supported by the delegated Child Protection decision-maker.

Each young person's special leave must be approved by the Director Secure Services, on the recommendation of the General Manager of each youth justice precinct, when they have satisfied themselves that the leave arrangements are in accordance with these procedures.

Attachment 1

Youth Justice Custodial Services

Temporary leave Risk Assessment and Plan (RAP) 2015

Department of Health & Human Services, Victoria

Check 3 boxes in applicable row. Double click on check box, then click on 'checked'

TYPE OF TEMPORARY LEAVE REQUESTED		YOUNG PERSON'S CURRENT SECURITY CATEGORY	LEVEL OF SUPERVISION		APPROVAL LEVEL REQUIRED
			Escort	No escort	
Family and community links	<input type="checkbox"/>	Cat 1 <input type="checkbox"/> Cat 2 <input type="checkbox"/> Cat 3 <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Education, employment or training	<input type="checkbox"/>	Cat 1 <input type="checkbox"/> Cat 2 <input type="checkbox"/> Cat 3 <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Sporting, recreational or community service	<input type="checkbox"/>	Cat 1 <input type="checkbox"/> Cat 2 <input type="checkbox"/> Cat 3 <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Medical or treatment	<input type="checkbox"/>	Cat 1 <input type="checkbox"/> Cat 2 <input type="checkbox"/> Cat 3 <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Compassionate	<input type="checkbox"/>	Cat 1 <input type="checkbox"/> Cat 2 <input type="checkbox"/> Cat 3 <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Administration of justice	<input type="checkbox"/>	Cat 1 <input type="checkbox"/> Cat 2 <input type="checkbox"/> Cat 3 <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Pre-Release Program (PRP)	<input type="checkbox"/>	Cat 1 <input type="checkbox"/> Cat 2 <input type="checkbox"/> Cat 3 <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Interstate	<input type="checkbox"/>	Cat 1 <input type="checkbox"/> Cat 2 <input type="checkbox"/> Cat 3 <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Special cultural or religious	<input type="checkbox"/>	Cat 1 <input type="checkbox"/> Cat 2 <input type="checkbox"/> Cat 3 <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

GENERAL DETAILS				
Young person's name				
Date of birth	Age			
Custodial centre	Unit			
Primary worker				
Date of application				
Date/s of proposed leave				
Alerts	YES <input type="checkbox"/> NO <input type="checkbox"/>			
Alert status	Alert type	Alert subtype	Start date	Review date

SENTENCE DETAILS			
Current offences			
Admission date	Pre-sentence detention days		
Date of sentence			
Sentence type			
Sentence length	Years	Months	Days
Parole eligibility date	Earliest possible release date		
Parole review date	Sentence expiry date		
Matters outstanding	Appearance date	Court	Charges

OFFENDING			
Brief details of current offences, including location			
Previous offending	Orders	Year	Most Serious Offence

The following structured risk assessment is informed by Appendices 1 and 2, which outline key factors and timelines regarding eligibility for temporary leave.

PROGRESS IN CUSTODY RISK		Double click on relevant check box, then click on 'checked' <input checked="" type="checkbox"/>	
1. Current security category	Cat 1 <input type="checkbox"/> Cat 2 <input type="checkbox"/> Cat 3 <input type="checkbox"/> Remand <input type="checkbox"/>		
2. Relevant behaviour (See Appendix 1)	YES <input type="checkbox"/> NO <input type="checkbox"/>	Positive behaviour in custody, includes their interaction with staff and peers, improvements since admission or recently	
	YES <input type="checkbox"/> NO <input type="checkbox"/>	Eligible based on time already spent in custody relative to length of sentence (see Appendix 2)	
	YES <input type="checkbox"/> NO <input type="checkbox"/>	Compliance with previous court orders and temporary leave conditions	
	YES <input type="checkbox"/> NO <input type="checkbox"/>	Participation in ongoing treatment, education, support services	
Comments on behaviour (mandatory)			
3. Individual characteristics (See Appendix 1)	YES <input type="checkbox"/> NO <input type="checkbox"/>	Progress made in addressing their offending behaviour	
	YES <input type="checkbox"/> NO <input type="checkbox"/>	Awareness of the impact of their offending on their victim and/or community	
	YES <input type="checkbox"/> NO <input type="checkbox"/>	Clear rehabilitative and reintegration benefits of temporary leave for this individual	
Comments on individual (mandatory)			
4. Previous leaves	Escorted (highlight box & insert number)		Unescorted
Types of temporary leave & number of each type	<input type="checkbox"/> Program* <input type="checkbox"/> Family	<input type="checkbox"/> Overnight <input type="checkbox"/> Family	
	<input type="checkbox"/> Education <input type="checkbox"/> Sport, recreation	<input type="checkbox"/> Education <input type="checkbox"/> Sport, rec.	
* 2 local leaves required to commence staged temporary leave program	<input type="checkbox"/> Medical <input type="checkbox"/> Compassionate	<input type="checkbox"/> Medical <input type="checkbox"/> Compassionate	
	<input type="checkbox"/> Justice admin <input type="checkbox"/> Special	<input type="checkbox"/> Justice admin <input type="checkbox"/> Special	
	<input type="checkbox"/> Other -	<input type="checkbox"/> Interstate <input type="checkbox"/> PRP	
TOTAL number	<input type="checkbox"/>	<input type="checkbox"/>	
Number successful	<input type="checkbox"/> N/A <input type="checkbox"/>	<input type="checkbox"/> N/A <input type="checkbox"/>	
Breaches or absconds	NO <input type="checkbox"/> YES <input type="checkbox"/> If yes, reasons below	NO <input type="checkbox"/> YES <input type="checkbox"/> See below	
Reasons for unsuccessful leaves & actions taken	N/A <input type="checkbox"/>		

OTHER RELEVANT INFORMATION TO RISK		
For each support, double click on check box, then click on 'checked' <input checked="" type="checkbox"/>		
5. Supports (Only mark YES or NO; indicators from Appendix 1)	YES <input type="checkbox"/> NO <input type="checkbox"/>	Appropriate active supervision
	YES <input type="checkbox"/> NO <input type="checkbox"/>	Supportive family, carer or other relationships
	YES <input type="checkbox"/> NO <input type="checkbox"/>	Stable/suitable accommodation
	YES <input type="checkbox"/> NO <input type="checkbox"/>	Employment opportunity or participation in community education/training
	YES <input type="checkbox"/> NO <input type="checkbox"/>	Young person willing to access support services - includes health, sporting, outreach, cultural
	YES <input type="checkbox"/> NO <input type="checkbox"/>	Verification and suitability of proposed transport arrangements
6. Positive comments of relevant people consulted	YES <input type="checkbox"/> NO <input type="checkbox"/>	If no, what are concerns?
7. Any concerns e.g. health, self-harm, peers, contact victims, outstanding matters	NO <input type="checkbox"/> YES <input type="checkbox"/>	If yes, what are concerns?

SUMMARY		
Attitude of young person to participate in temporary leave	Have the consequences of non-compliance been explained? YES <input type="checkbox"/> NO <input type="checkbox"/>	
Key risk elements overview (from information above)	1. Security category 2. Behaviour in custody 3. Individual characteristics 4. Previous leave behaviour 5. Supports 6. Comments from consults 7. Any concerns	Cat 1 <input type="checkbox"/> Cat 2 <input type="checkbox"/> Cat 3 <input type="checkbox"/> Remand <input type="checkbox"/> Positive <input type="checkbox"/> Negative <input type="checkbox"/> Positive <input type="checkbox"/> Negative <input type="checkbox"/> Positive <input type="checkbox"/> Negative <input type="checkbox"/> N/A <input type="checkbox"/> Positive <input type="checkbox"/> Negative <input type="checkbox"/> Positive <input type="checkbox"/> Negative <input type="checkbox"/>
Supports to address specific risks	<i>Risk e.g. non-compliance</i>	<i>Added supports required</i>
Suitability for temporary leave	YES <input type="checkbox"/> NO <input type="checkbox"/>	

TEMPORARY LEAVE PLAN					
Young person's name					
Security Category	Cat 1 <input type="checkbox"/> Cat 2 <input type="checkbox"/> Cat 3 <input type="checkbox"/> Remand <input type="checkbox"/>				
Start date and time					
End date and time					
Assessor's name					
Unit Supervisor/ Coordinator's name					
Area YJ Case Manager & Team Leaders' names/phone	<table style="width: 100%; border: none;"> <tr> <td style="width: 50%; border: none;">CM</td> <td style="width: 50%; border: none;">Phone</td> </tr> <tr> <td style="border: none;">TL</td> <td style="border: none;">Phone</td> </tr> </table>	CM	Phone	TL	Phone
CM	Phone				
TL	Phone				
Type of temporary leave					
Location					
Transport details e.g. DH&HS vehicle, secure van with SERT staff, PRP to escort, parent to pick up, employer to return to centre					
Level of supervision	Escorted <input type="checkbox"/> By 1 staff <input type="checkbox"/> By 2 staff <input type="checkbox"/> 2+ staff <input type="checkbox"/> Unescorted <input type="checkbox"/>				
Standard conditions to manage risk	<ul style="list-style-type: none"> To be settled behaviourally prior to leaving centre (unless emergency) All conditions of temporary leave pass explained prior to commencement of leave Staff to carry a mobile phone and emergency numbers Young person to follow all directions as given by staff Young person not to have any direct or indirect contact with the victim or their family, including electronically Young person not to use any social network sites e.g. Facebook, Twitter or identify themselves on internet or be involved in media If found in breach of temporary leave conditions, young person to be returned to custody immediately Not to use or introduce any contraband into the centre upon return Young person will be subject to precinct search protocol upon return 				
Special conditions to manage risk* e.g. staff visits, phone contact with young person and caregiver	<ul style="list-style-type: none"> 				
Who will monitor this?					
When will it be done?					
Risk Assessment and Plan communicated to:					
Young person's leave planner completed and given to them**	YES <input type="checkbox"/> NO <input type="checkbox"/>				

* See Appendix 3 for examples of other conditions to manage risk

** See Appendix 4 for Young Person's Leave Planner

AUTHORISATION		
Key worker	Name:	
	<i>Comments:</i>	
Unit Coordinator	Name:	
	<i>Comments:</i>	
Unit Manager	Name:	
	<i>Comments:</i> Signature	
General Manager	Name:	
	<i>Comments:</i> Signature	
Director, Secure Services	Name:	
	<i>Comments:</i> Signature	
Approval levels required for security categories	Category 1 <i>Escorted</i>	Approval by Director, Secure Services for initial leave. Approval by General Manager of custodial precinct for subsequent leave. Approval by Director, Secure Services following a previous abscond or breach. On-Call Manager or Operations Manager can approve escorted leave in emergency situations or in exceptional circumstances only, and must notify Director, Secure Services prior to (where possible) or immediately after leave commences.
	<i>Unescorted</i>	Approval by Director, Secure Services for initial leave. Approval by General Manager of custodial precinct for subsequent leave. Approval by Director, Secure Services following a previous abscond or breach.
	Category 2 <i>Escorted</i>	Approval by General Manager of custodial precinct. On-Call Manager or Operations Manager can approve escorted leave in emergency situations or in exceptional circumstances only, and must notify Director, Secure Services prior to (where possible) or immediately after leave commences.
	<i>Unescorted</i>	Approval by Director, Secure Services for initial leave. Approval by General Manager of custodial precinct for subsequent leave. Approval by Director, Secure Services following a previous abscond or breach.
	Category 3 <i>Escorted</i>	Approval of initial leave by General Manager and by Operations Manager for subsequent leaves. Unit Manager can approve if others unavailable.
	<i>Unescorted</i>	Approval of initial leave by General Manager and by Operations Manager for subsequent leaves. Unit Manager can approve if others unavailable.
	<i>Note:</i>	If, during either escorted or unescorted leave, the young person absconds or significantly breaches the leave conditions, for example, by offending or using drugs, the Director, Secure Services must approve the next leave after considering a further risk assessment report.

Appendix 1: Key factors regarding eligibility for temporary leave

Use for consistent, structured and evidence-based decision-making for temporary leave. No weighting has been given to each indicator or contra-indicator as a range of different factors influence suitability.

Factors	Indicators	Contra-indicators
Offence	<ul style="list-style-type: none"> • Less serious nature of offences • No outstanding charges 	<ul style="list-style-type: none"> • Category 1 classification or any other offence where it is deemed the young person poses a high risk to community safety • Is viewed as an unacceptable risk of committing further offences while on temporary leave • Higher risk of non-compliance due to outstanding charges likely to attract additional period of detention
Relevant behaviour	<ul style="list-style-type: none"> • Positive behaviour in custody, including their interaction with staff and peers, improvements since admission or recently • Time already spent in custody relative to length of sentence – see timelines for temporary leave eligibility (Appendix 2) • Compliance with previous court orders and temporary leave conditions • Participation in ongoing treatment, education, support services 	<ul style="list-style-type: none"> • Involvement with incidents in custody • History of escaping or absconding from legal custody; considered a flight risk • Has failed to comply with previous court orders and temporary leave conditions • Risk of contacting victims; could endanger safety and welfare of others • Risk of contacting co-offenders or interfering with witnesses or co-accused
Individual characteristics	<ul style="list-style-type: none"> • Progress made in addressing their offending behaviour • Awareness of the impact of their offending on their victim and/or community • Clear rehabilitative and reintegration benefits of temporary leave for individual 	<ul style="list-style-type: none"> • Lack of progress or motivation to change • Lack of victim awareness • Whether a young person would be likely to harm themselves while on leave
Relevant information	<ul style="list-style-type: none"> • Appropriate active supervision • Supportive family, carer or other relationships • Stable/suitable accommodation • Employment opportunity or participation in community education/training • Willing to access support services • Verification and suitability of proposed transport arrangements 	<ul style="list-style-type: none"> • Lack of appropriate supervision, supports and activities by relatives, an adult friend, departmental staff or suitable others • Negative comments and opinions of relevant people, such as parents/carers, area youth justice staff, Child Protection and Disability Services staff (where relevant) and other services involved with the young person

Appendix 2: Timelines for temporary leave eligibility

	Sentence length						
	6 months	9 months	12 months	18 months	24 months	30 months	36 months
Temporary leave risk assessment	5 weeks	8 weeks (2 months)	8 weeks (2 months)	12 weeks (3 months)	12 weeks (3 months)	16 weeks (4 months)	20 weeks (5 months)
Escorted leave	6 weeks	10 weeks	10 weeks	14 weeks	16 weeks (4 months)	20 weeks (5 months)	24 weeks (6 months)
Unescorted leave	7 weeks	11 weeks	12 weeks	18 weeks	5 months	6 months	7 months
O/N leave	8 weeks	13 weeks	14 weeks	20 weeks	7 months	8 months	9 months
Pre-Release Program (PRP)	10-12 weeks	14-18 weeks	16-22 weeks	6-8 months	8-10 months	9.5-11.5 months	11-13 months
Possible parole	12 weeks	4.5 months	5.5 months	8 months	10 months	11.5 months	13 months

Appendix 3: Examples of conditions to manage risk

- To be escorted by experienced staff members in government vehicle
- Escorting staff member to be seated in rear of vehicle behind driver
- Young person to remain in company of escorting staff members at all times
- Young person on unescorted leave to return to custodial centre when directed to do so by staff
- Young person to remain at his parents' residence unless in an emergency and inform custodial staff of any departure
- Young person to follow temporary leave planner
- Young person to attend arranged appointment with area youth justice worker every _____ afternoon
- Young person to attend appointment with drug and alcohol/ psychology/ other treatment service as arranged
- Young person to attend day program each day and remain there
- Daily phone calls from staff to young person's place of residence
- Young person to be available to receive daily visits from staff
- Staff to visit daily for first 2 weeks and decrease visits per week as determined by staff
- PRP officers to supervise and monitor young person while on PRP
- Young person to comply with curfew conditions
- Young person to be available to answer a 10:00 pm curfew call and any random curfew calls
- 9:00 pm curfew call to parents' mobile phone by YJC Unit staff – father phone number; mother phone number

Appendix 4

YOUNG PERSON'S LEAVE PLANNER – to use for 1 day or more

Name:

Dates:

Accommodation:

Contact names and phone numbers:

	Time	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
Dates								
Morning								
Afternoon								
Night								
Check-in by								