

Youth justice custodial practice manual

Secure Services

Separation of young people

- Sometimes young people may need to be separated from their peers for a period to help them manage their behaviour so they can be a positive member of the unit in the longer term.
- Separation is not a punishment. It happens rarely and only on the recommendation of the General Manager and approval from the Director of Secure Services.
- Separation is distinguished from isolation as the young person continues to have access to education, programs and other aspects of the broader precinct and may not be confined to a locked room.

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When to use this procedure

When a young person's behaviour is so extreme and difficult to manage that they need to be accommodated separately from other young people for a limited period of time.

What else you need to know

Make sure you have read and understood the following procedures:

Staff responsibilities

Find your role below to see what your responsibilities are:

- [All staff](#)
- [Unit Manager](#)
- [General Manager](#)
- [Director Secure Services](#)
- [Care team members](#)

All staff

At all times

- Be aware of the rationale for separation, the distinction between separation and isolation, and the processes in place to manage separation.

Unit Manager

When you believe separation may be necessary to manage the behaviour of a young person in your unit

- Ensure that all other less restrictive options have been attempted. The health service, divisional workers and other key stakeholders should be involved in this work.
- If all other options have been attempted and the violent or disruptive behaviour continues, contact the Operations Manager to initiate a discussion regarding separation.

When a young person commences separation

- Is responsible for the development a Separation Safety Management Plan, in collaboration with the care team.

Every 72 hours after the commencement of separation

- Ensure the plan is reviewed and updated as required and provide it to the General Manager and Director Secure Services for approval.

General Manager

- Seek approval of separation from the Director, Secure Services.
- Must ensure that the criteria for separation are met and that separation is not used as a punishment, or a substitute for isolation.

At the time a young person commences a separation plan

- identify the location for accommodating the young person
- determine the level of observation needed to keep the young person safe
- ensure that a referral is made to the health service for immediate assessment
- ensure that arrangements are made to identify the care team who will be responsible for the young person on separation
- ensure arrangements are in place for the young person's continued access to education, recreation and cultural services and supports
- ensure the separation is recorded in the Separation Register maintained at each precinct.

Every 72 hours after the commencement of separation

- Review the plan, ensuring that interventions are being provided as stipulated and that the plan includes a process for re-introducing the young person to the unit.

Director Secure Services

When separation has been recommended

- Has the authority to approve separation where this has been recommended by the General Manager and there is agreement that this is a time limited behaviour management strategy of last resort.

At the time a young person commences a separation plan

- Endorse the initial Separation Safety Management Plan.

Every 72 hours after the commencement of separation

- Endorse the updated plan in consultation with the General Manager.

Care team members

At the time a young person commences a period of separation

- Participate in the development of the Separation Safety Management Plan

During separation of a young person

- Support the young person and ensure their safety through ongoing assessment and provision of support.

The procedure in detail

- [Best interests of the young person and the Charter of Human Rights](#)
- [Purpose of separation](#)
- [Criteria](#)
- [Approval process and commencement of separation](#)
- [Development of the Separation Safety Management Plan](#)
- [Reintroducing the young person to the unit](#)

Best interests of the young person and the Charter of Human Rights

Section 482 (1) of the *Children Youth and Families Act 2005* stipulates that the Secretary must:

- (a) determine the form of care, custody or treatment which he or she considers to be in the best interests of each person detained in a

remand centre, youth residential centre or youth justice centre.

This means that they are:

- entitled to have their developmental needs catered for
- entitled to receive visits from parents, relatives, legal practitioners, persons acting on behalf of legal practitioners and others
- entitled to have reasonable efforts made to meet their medical, religious and cultural needs including, in the case of Aboriginal children, their needs as members of the Aboriginal community
- entitled to receive information on the rules of the precinct in which they are detained that affect them and on their rights and responsibilities and those of the officer in charge of the precinct and the other staff
- entitled to complain to the Secretary or the Ombudsman about the standard of care, accommodation or treatment which they are receiving in the centre
- entitled to be advised of their entitlements under the Act.

The Victorian *Charter of Human Rights and Responsibilities Act 2006* sets out the basic rights, freedoms and responsibilities of all people in Victoria. As employees of a Victorian government department, we are obliged to act in accordance with the Charter when delivering services to young people.

It is particularly important to be mindful of these responsibilities when acting in a manner that further restricts the liberty of young people in custody. The sections of the Charter that are most relevant include:

The right to liberty and security of person (section 21)

Everyone has the right to freedom and safety. The right to liberty includes the right to not be arrested or detained except in accordance with the law. The right to security means that reasonable steps must be taken to ensure the physical safety of people who are in danger of physical harm.

The right to humane treatment when deprived of liberty (section 22)

People have the right to be treated with humanity if they are accused of breaking the law and are detained.

Rights of children in the criminal process (section 23)

A child charged with committing a crime or who has been detained without charge must not be held with adults. They must also be brought to trial as quickly as possible and treated in a way that is appropriate for their age. Children are entitled to opportunities for education and rehabilitation in detention.

Purpose of separation

Occasionally, young people present with behaviours that are so extreme and difficult to manage that we need to use all mechanisms at our disposal to keep them, and everyone else, safe.

In general, consequences for negative, violent or other wise disruptive behaviours are provided within an overall approach which is trauma informed, proactive and promotes positive behaviour.

The promoting positive behaviour approach and the Preventing Occupational Violence model emphasise the importance of building rapport with young people, recognising constructive behaviours and acting early and quickly to respond to negative behaviours to prevent them escalating.

Similarly, the procedure **How we deal with difficult behaviour** provides staff with a range of options to use when a young person presents with behaviours that are challenging for us to manage.

These options include:

- redirecting clients to interrupt their difficult behaviours
- behavioural conversations
- the establishment of Individual Behaviour Management Plans
- Thinking Reports
- seeking assistance from the health service
- Managers', Director's and Youth Parole Board warnings.

Separation from other young people is not a punishment.

It complements and supports behavioural strategies already in place, and the aim of preventing violence amongst this client group.

Separating a young person under the directions contained in this procedure should only occur after other less intrusive options have been tried without success.

Separation is used to provide a time limited response to incidents of extreme acts of aggression or other unsafe behaviour, to:

- Ensure the safety of the young person, staff and others on the precinct by temporarily restricting the young person's movements and contact with peers.
- Demonstrate that violence against other people is entirely unacceptable and will not be tolerated.
- Allow time and space for a plan to be developed to assist the young person to change violent and maladaptive behaviours, with a focus on both the custodial period and the return to the community beyond this.
- Gradually reintegrate the young person into the broader precinct – both physically by returning them to a unit, and in an interpersonal sense by encouraging them to make restoration to others who have been harmed through their actions.

Temporary separation of a young person also provides an alternative to transfer to prison where this may have been considered as a final

resort, and allows us to meet our mandate of managing young offenders in an age and developmentally appropriate setting.

Criteria

The key factor to initiate separation is consistent or extreme violence or destructive behaviour that has continued despite all attempts to prevent it. This includes:

- physical assault of staff or another client or significant self harm
- multiple or significant verbal threats (where there appears to be an intention to follow through with the threat) – such as telling a staff member or another client that they will kill them, or that they will harm a staff member's family
- escape attempt or actual escape
- extreme vandalism such as the destruction of a bedroom or other space.

Some young people may fit the criteria not because of violent behaviours but because of their vulnerability. They may be identified by precinct management as requiring intensive interventions, for example because of their vulnerability due to mental health or developmental disorders (such as Asperger's Syndrome).

Young people in this category may be targeted by their peers due to noticeable or disruptive behaviours that may be out of their control. In these situations, the purpose of separation is to create a time limited safe place in which to support the young person to develop more adaptive behaviours that will allow for their long term safety.

Approval process and commencement of separation

The General Manager makes a recommendation for separation and seeks approval from the Director Secure Services prior to the commencement of separation.

Separation can not commence without approval from the Director. This can initially be verbal, and must be confirmed by email which is to be placed on CRIS, along with a detailed Separation Safety Management Plan.

If there is a delay in commencing the period of separation and the young person needs to be kept safe, isolation can be initiated, following all instructions contained in the isolation procedure.

At the time the young person commences the separation plan, the General Manager must:

- identify the location for accommodating the young person
- determine the level of observation needed to keep the young person safe
- ensure that a referral is made to the health service for immediate assessment
- ensure that arrangements are made to identify the care team who will be responsible for the young person on separation
- ensure arrangements are in place for the young person's continued access to education, recreation and cultural services and supports
- ensure the separation is recorded in the Separation Register maintained at each precinct and case noted on CRIS.

Development of the Separation Safety Management Plan

While in separation, young people must have a comprehensive plan in place to ensure that their needs continue to be met. The Separation Safety Management Plan (accessible in the Additional Information section) provides a coordinated and planned approach to address identified risks to themselves and others or the safe operation of the precinct.

The Plan is developed by the relevant Unit Manager and approved by the Director Secure Services. Once approved, the Plan must be reviewed by the Unit Manager at least once every 72 hours and provided to the General Manager and Director for further approval.

The Separation Safety Management Plan should be scanned and uploaded to CRIS as an attachment. This should occur each time the plan is reviewed.

The Separation Safety Management Plan covers the following areas:

- the reason for the placement
- anticipated outcomes
- role of the care team
- supports for the young person – environmental, health service, educational, programmatic and recreational
- contact with peers
- cultural support
- strategies for staff
- daily activity schedule.

Role of the care team

Young people on a separation plan must be kept busy each day with meaningful and targeted interventions that will make a positive contribution to addressing their behaviours of concern.

Close management of the young person is required to ensure that:

- they are safe and well within the new physical environment
- their human rights are maintained
- rights and responsibilities under the *Children Youth and Families Act 2005* are observed
- appropriate interventions are in place to address their behaviour and meet their case management needs.

A care team must be identified for each young person on a separation plan, based on their individual needs and the behaviour to be targeted.

Membership of the care team is dependant on the young people's needs. At a minimum, a care team must include:

- Unit Manager – leads the team and coordinates the Separation Safety Management Plan
- Regional youth justice worker
- Member of the youth justice health team
- Parkville College teacher.

Depending on the young person's needs, the care team may include:

- Cultural Support Worker
- Aboriginal Support Worker
- Family members where this is appropriate
- Disability worker
- Child Protection worker
- Mental health support worker
- Alcohol and other drug support worker.

The care team assists in the development of the Separation Safety Management Plan. Factors that have contributed to the behaviour that has identified the need for separation must be considered and a plan developed to respond to them.

In addition to establishing the interventions required while the young person is on the separation plan, it will also include an exit plan to allow for their reintegration back into the broader precinct.

It is suggested that the young person enter into a personal contract with the care team so that there is agreement on the goals to be achieved while they are separated from their peers, and the tasks that need to occur before they are able to exit.

Assessment

The Separation Safety Management Plan should be informed by a comprehensive assessment of the young person's behaviour, supported and overseen by their care team.

Once the young person has commenced on a separation plan, assessment fulfils two functions:

- Monitoring the young person's safety and wellbeing, and confirming observation and staffing levels. Ongoing risk assessment is conducted daily in consultation with health service.
- Identifying the interventions needed to address the young person's aggressive, violent or disruptive behaviour and any other contributing factors. The care team is responsible for this decision making.

Reintroducing the young person to the unit

Separation is not intended as a long-term placement option. Rather, it acts as a circuit breaker – interrupting particularly dangerous behaviours. It also encourages a concerted effort, based on the Separation Safety Management Plan, to implement the targeted supports and interventions the young person needs to change their behaviour.

Planning for exit commences at the time the separation plan is initiated and is based on input from the care team.

The young person should be reintegrated into the unit in stages, starting with short visits with the support of a staff member. Visits to the unit are gradually extended until it is appropriate, and safe, for the young person to return to the unit.

Restorative practices

Assisting the young person to repair any damage they have done is an important aspect of their return to the unit, as is helping them to understand that their actions have an impact on others and to develop empathy for those they have harmed. This applies to both physical damage and the effect it may have had on relationships between the young person and others in the unit – both staff and their peers.

Trauma theory shows there is a strong relationship between high emotional arousal and lack of thought or insight during a violent incident. As many violent incidents take place when the young person's emotions are heightened, they will generally not be able to consider how they are affecting others during the incident; this may appear to be due to callousness or a complete lack of empathy.

Once the situation has been stabilised, and the young person is settled in separation, there is an opportunity to help them understand what the impact of their behaviour has been, and to help them think about other ways to behave.

Suggested restorative practices include writing to staff members or other clients to apologise, a facilitated meeting between the parties or making part payment for damage to be repaired.

Personal Management Plan

Each young person in separation will develop a Personal Management Plan before returning to their unit. The plan (accessible in the Additional Information section) identifies triggers, warning signs, calming strategies and supports.

The plan is developed proactively by the young person with the help of staff before a further crisis occurs.

The aim is to help the young person identify and practice coping skills before they are needed to prevent further incidents.

Although the focus of the Personal Management Plan is the young person themselves, having one in place contributes to the safety of staff and other young people as, used correctly, it minimises the potential for further acting out behaviour or aggression.

Additional Information

- [Separation Safety Management Plan \(147.5 KB, MS Word\)](#)
- [Personal Management Plan \(99.5 KB, MS Word\)](#)

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Last updated: 25/5/2015

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Authorised by: Ian Lanyon, Director Secure Services