

**Department of
Community Welfare Services**

Memorandum

TO A/Deputy Director (Operations), Family & Adolescent Services
 FROM A/Supervisor, Reception and Youth Training Centres
 DATE 26th November, 1982
 TOPIC Draft Procedures re Assaults
 or
 CLIENT

Action is not necessary FILE Ref. .
 is required. Reply Due _____ / _____ /19_____

Comments of A/Supervisor, Youth Services are noted.

I find difficulty in agreeing that decision-making in this area should be removed from Superintendents particularly in the case of institutions.

The incidents giving rise to allegations of assault vary greatly from minor blow-ups to serious attacks. Except in clear cases of injury - following pre meditated attack it is likely, regardless of procedures that discretion will be exercised at various levels of management as to how the event will be perceived, i.e. as a tantrum in which someone got in the way, as a case where necessary physical restraint is being applied or as an assault.

Many factors will influence this perception. Frequently the perceptions change as steps are taken to manage the event and its aftermath.

To involve lawyers in every case is likely to both escalate events which should be resolved on the spot or soon after and be costly in terms of time and resources.

In all cases where there are serious connotations, consultation with a supervisor should occur. In all cases where the matter is perceived as an adversarial situation access to legal channels should be kept open. I believe however that the majority of instances are better resolved by on the spot action or in some cases by the grievance hearing approach used at Winlaton. It is the few more complex cases which get away which ~~used~~^{need} to be better covered.

I believe that the proposed guidelines would help in this respect.

Given that further consideration appears to be going on in respect to the draft, I would like the Superintendents' meeting to comment on it and the additional material generated to date.



L.S. OWEN,
 A/Supervisor,
Reception and Youth Training Centres.

re led p 19/2