

THE ASSESSMENT OF TRAINEES (17 YEARS & OVER) AND REMANDEES DEEMED UNSUITABLE TO BE DETAINED IN A YOUTH TRAINING CENTRE

The good order of YTC's requires that from time to time assessment of trainees for transfer to prison will occur. However, such assessments must recognise the following principles if fairness and justice are to prevail for both trainees and staff, and for the Department to responsibly administer its obligations under the Act and towards its employees.

The maintenance of good order within YTC's requires that when serious incidents or major concerns arise:

- that the safety of staff within institutions is recognised as a matter of major concern;
- that due consideration is given to the rights of the trainees to natural justice;
- that the protection of the community is ensured;
- that the safety and best interests of trainees are maintained.

Given these principles, procedures can be developed that will ensure the maintenance of good order within YTC's. In this regard, it must be recognised that this is fundamental to the operation of YTC's and the following matters outline the major issues of concern for both the Department and the V.P.S.A.:

- assaults by trainees on staff;
- behaviour by a trainee which places another trainee under undue-duress or at risk;
- previous behaviour or present conduct by a trainee that raises concerns about suitability of the trainee for YTC taking into account the facilities and services available within the YTC system.

The procedures that will be followed are set out in detail in the attachments to this statement and the key issues are summarised as follows:

A

Incidents
During Current
YTC Placement

- when an assault or serious incident occurs, the matter will be immediately reported formally to management for investigation including assessment of suitability of the trainee for a YTC, and where appropriate, to the police to investigate the complaint;
- the General Manager Operations or delegate having regard to the full comments of Turana will determine on a referral to the Youth Parole Board;
- the Youth Parole Board will convene on an ad hoc basis to consider the facts and to recommend on whether the trainee is suitable for a Y.T.C.;
- this process will be dealt with urgently within eight business hours;

B

Antecedents
and
Behaviour

- in those cases where the previous antecedents and behaviour of the trainee are of major concern, the matter will be considered by an ad hoc or urgent meeting of Classification Committee;
- the process outlined above will then be followed in respect of this matter, in that the Classification Committee will make recommendations to the General Manager (Operations) or delegate for referral to the Youth Parole Board who will advise the Minister and Director-General.

Associated with these processes will be an agreement with the police of a change in their remand practices in those cases where a trainee is charged with assault.