

ATTACHMENT
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WINLATON YOUTH TRAINING CENTRE, NUNAWADING, VICTORIA

SUGGESTED GUIDELINES AND PROCEDURES TO RESOLVE PROBLEM SITUATIONS AND/OR RESOLVE DISPUTES

The program at Winlaton has three approaches with teenagers to handle their alleged misconduct, their recurring bad feelings among each other or staff, or their annoying behaviour. Each approach has as its objective to provide due process in a rational form for examining the facts and stating the consequences for troublesome events.

MAJOR PURPOSE OF HEARINGS

- Teach emotional expression
- Provide area for ventilation
- Provide an individual as a group with another's or with a group's (peer's) feedback
- Provide an orderly process for setting disputes and to set up a hearing in order to give proper control over resolving the dispute themselves
- Prevent frustrations from building up
- Provide an understandable participation - paradigm or pattern for the "judicial" process, and to set up a plan of positive action together
- Provide staff with another management tool to deal with problems where people have a continual relationship

These three approaches to resolve problem situations are:

- 1) A Grievance Hearing - this is called because there has been a major offence committed by a Winlaton trainee. A major offence is to include:
 - a) striking a staff; and
 - b) setting a fire.

See Winlaton's Manual of Instruction for procedural steps to follow in setting up a Grievance Hearing.

- 2) A Serious Incident Hearing - this is called and can be set up to deal with serious incidents in which staff think that the behaviour of a trainee has endangered herself or others, or has damaged property. This would include extremely irresponsible actions, such as vicious fighting between girls, attempted drownings, sexual assault and premeditated or continuous vandalism.

See Winlaton's Manual of Instruction for procedural steps to follow in setting up a Serious Incident Hearing.

- 3) A Hearing - this is called quickly to alleviate the escalating pressure, anger or ill-feelings which can be generated when so many adults and teenagers are "forced" together. A staff may request a Hearing on a youth; a youth may request a Hearing on another youth.

The definition and procedural steps are:

- a) A Hearing is always a triad (three parties present), never a one-on-one situation. At least two staff must be present at every Hearing unless the Hearing is simply between two trainees in which case one staff may preside. When two staff are present because the trainee is in difficulty with an adult, efforts should be made to have the other adult (the monitor) to be someone with whom the youth has a trusting relationship.

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- b) A Hearing may be requested by anyone toward anyone else, a person or group. A Hearing may be called in regard to any issue having a potential basis in fact and feeling. The Hearing process is started by the aggrieved saying to the other person: "I am calling for a 'Hearing' with you." In practice, limits may have to be placed on frequency, as the process could be abused. As long as staff are present, triviality should not be an issue since staff can always direct the Hearing toward deeper levels.
- c) In a Hearing each party must have its say. To ensure fairness, the party requesting the Hearing has, without interruption, his or her say first. They signal they are finished by stating: "That's my 'Hearing' about you." Next, the party answering the Hearing has his or her say without interruption. The proceedings are then opened for others. Hearings are always continued until a point of resolution and satisfaction is felt by all three parties. This monitoring or guiding is done by an adult staff, or a mature youth. Consequences for the youth(s) may result, but these are guided and ultimately decided upon by the monitor (or judge) with the involved parties contributing to the resolution of the problem. A plan of action comes out of the Hearing; follow-up is important.
- d) A Hearing is:
- i) voluntary or involuntary, depending on the situation - people are expected to participate in a Hearing in order to avoid sinking further into the troubling situation, or to avoid brooding with unresolved, negative thoughts and feelings;
 - ii) fair - rules of conduct are adhered to in order to ensure fairness to all;
 - iii) emotional - allowed for catharsis and cathexis;
 - iv) ameliorating - not finished until everybody is satisfied.

For further information on any of these techniques, contact Dr Eileen Slack, Superintendent, Winlaton.
