



VICTORIA POLICE

Human
Services



Peoplefirst

***LOCAL AREA AGREEMENT
BETWEEN
MACEDON RANGES POLICE DISTRICT
AND
MALMSBURY JUVENILE JUSTICE CENTRE***

***DIVISION 3, REGION 3
BENDIGO***

***DEPT OF HUMAN SERVICES
LODDON MALLEE REGION***

Local Area Agreement between Macedon Ranges Police District and Malmsbury Juvenile Justice Centre Management.

INTRODUCTION

This Local Area Agreement has been prepared to assist staff of the Malmsbury Juvenile Justice Centre (MJJC) and members of the Macedon Ranges Police District in responding to situations and incidents, which may arise from time to time.

The Local Area Agreement should be read in conjunction with the Macedon Ranges District Operating Procedures applicable for the MJJC and the MJJC Standards and Operating Procedures, incident reporting guidelines.

MINOR ASSAULTS

- Minor assaults between clients that require medical treatment shall be reported to and investigated by Malmsbury Police as soon as possible.
- If Malmsbury Police not available, Kyneton Police to be notified as soon as possible. On receipt of report Kyneton Police will e-mail Malmsbury Police to attend to complaint.
- Police will inquire into reported minor assaults on MJJC staff by clients. Police will exercise their legal discretion whether further action will be taken.
- A police report of the incident is still required, even if no action is contemplated.
- In the absence of Malmsbury Police, other members attending must seek the advice of a sub officer before declaring the reported incident, as requiring investigation or no further action required.
- MJJC staff may take action by way of civil litigation at a later time through the Magistrates Court if desired.

SERIOUS ASSAULTS

- Serious assaults (including sexual assaults) involving clients/staff shall be immediately reported to Malmsbury or Kyneton Police.
- A Crime Scene at the MJJC must be secured at the first available opportunity to ensure that there is no contamination of evidence. MJJC Staff to assist.

- Under most circumstances, investigating Police should inspect the Crime Scene as soon as practicable. This does not apply to an escape (Summary Offence).

ESCAPE/FAIL TO RETURN (FROM LEAVE)

- All escapes from the MJJC shall be immediately reported to Malmsbury Police. If unavailable then to the Kyneton Police.
- Clients who fail to return when their leave pass has expired, MJJC staff shall contact Malmsbury/Kyneton Police - once a reasonable time has passed and enquires have been conducted.
- Escapes away from the MJJC (escorted leave) must be reported immediately to the nearest Police Station to where the escape took place. This will be done promptly by the MJJC management on notification of the escape by escorting staff. MJJC shall fax or e-mail clients details (who have escaped) promptly to Malmsbury/Kyneton Police and/or other Police Stations.
- Escapees who have been apprehended by police in Division 3 shall be returned to the MJJC at the earliest opportunity.
- Police shall consider remanding escapees in police custody when clients have committed serious indictable offences after they escaped.
- Although warrants are not required to apprehend an escapee under the Children's and Young Persons Act 1989. MJJC at the earliest possible time to will file charges relevant to the escape.

Serious Indictable Offence means punishable on first conviction with imprisonment for life or for a term of five years or more.

SEARCHES FOR ESCAPEES

- Police will decide on the extent and type of search to be undertaken.

REMOVING CLIENTS FROM THE CENTRE

- Section 259, Children's and Young Persons Act. On request by the CEO of the MJJC, Police may remove a client from the Centre so as to maintain the safety and good order at the Centre. The following conditions shall apply:
 - Indictable Offence must have been committed.
 - MJJC staff shall promptly supply statements and other evidence for court purposes.
 - The Crime Scene must be preserved.

- A client can only be removed from the MJJC on the authority of the CEO. The request will be made directly by the CEO to Malmsbury Police who in turn will consult with the OIC Kyneton Police or in his absence an available sub Officer.
- If Malmsbury Police is not available, CEO MJJC or delegate to contact and consult with the Officer in Charge, Kyneton Police.
- If Officer in Charge is not available CEO MJJC or delegate to refer matter to available sub officer (sergeant) at Kyneton who will assume delegation of authority to negotiate request with CEO MJJC or delegate.
- No deviation will be made from this procedure without consultation between the CEO, MJJC and the Inspector, Macedon Ranges District (or delegates).

POLICE ATTENDANCE AT MALMSBURY JUVENILE JUSTICE CENTRE

- Police shall attend at the MJJC to investigate Serious Offences.
- Police attendance at the MJJC for minor matters shall be at the discretion of the police investigator after a conciliatory process has been adopted and agreed upon in consultation with CEO, MJJC or delegate.
- MJJC management shall provide, as far as possible, a secure and safe environment to Police when they are present at the Centre.

DRUGS

- All drug matters shall be reported to Malmsbury/Kyneton Police. Small amounts of prohibited substances such as Indian Hemp should be managed internally by MJJC management, after consultation with Malmsbury Police.
- MJJC management shall immediately report all drug overdoses to police, when medical attention has been requested.
- MJJC management shall ensure all seized drugs are stored in a suitable locked receptacle on MJJC premises.
- Malmsbury Police shall arrange drug disposal.

INTERVIEWS - SECTION 464B CRIMES ACT


- Police interviews with MJJC clients must comply with Section 464B of the Crimes Act and be video-taped utilising the video/audio equipment at the MJJC.
- Police must lodge a Gaol Order with MJJC management prior to a client being removed from the Centre for all Court purposes.
- The client may be interviewed at the MJJC or at another suitable location.
- Transport arrangements shall be organised by Police to remove a client.

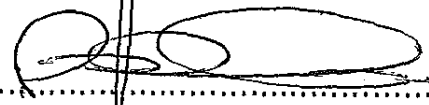
DISPUTES

- The CEO, MJJC and the Inspector, Macedon Ranges Police District, or delegates will resolve any dispute that arises regarding the instructions outlined in this Local Area Agreement.
- Arbitration will be done only during normal working hours. Only in exceptional circumstances will the matter be resolved after hours.

PREVIOUS AGREEMENTS

This document replaces any previous agreements.

Signed..........Date...13.12.04

Signed..........Date...1/12/04

PAUL NEWMAN
INSPECTOR