

Australian Capital Territory

Children and Young People (Local and Interstate Leave) Policy and Procedures 2008 (No 1)

Notifiable instrument NI2008–387

made under the

Children and Young People Act 2008, Section 143 Youth detention policies and operating procedures

1 Name of instrument

This instrument is the *Children and Young People (Local and Interstate Leave) Policy and Procedures 2008 (No 1)*.

2 Commencement

This instrument is to commence on 9 September 2008.

3 Policies and operating procedures

Under section 143 of the *Children and Young People Act 2008*, I make the attached Local and Interstate Leave Policy and Procedures to facilitate the effective and efficient management of detention services for young detainees.

Martin Hehir
Chief Executive

8 September 2008

Local and Interstate Leave Policy and Procedures

1. Introduction and Purpose

During the period of a young detainee's detention, there may be circumstances in which it is necessary or reasonable for a young detainee to be provided with lawful authority to be absent from a detention place. These include circumstances where granting a young detainee leave is considered appropriate for:

- a) compassionate reasons, for example, following the death of a family member to allow the young detainee to attend the family member's funeral;
- b) the young detainee's employment as part of a transition plan for the young detainee's transition to the community;
- c) the young detainee to attend education or training programs which form part of their case management plan;
- d) the young detainee's health, for example, to receive health services that are not provided at a detention place.

This policy outlines the legal authority for leave to be granted to a young detainee in certain circumstances. The policy allows a young detainee to be granted leave within the ACT (local leave) or interstate, and provides for escorted and unescorted leave arrangements.

All young detainees may wear their own clothes while on approved leave, with the approval of the Senior Manager.

2. Legal Authority and Obligations

- 2.1 The *Children and Young People Act 2008* is the primary source of authority for the operations of a detention place. The provisions of the *Children and Young People Act 2008* must be complied with at all times by staff exercising functions at a detention place.
- 2.2 The policies and procedures provide specific directions to implement the provisions of the *Children and Young People Act 2008* and other relevant legislation, including the Human Rights Act 2004.
- 2.3 Part 6.8 of the *Children and Young People Act 2008* outlines the legal authority for leave arrangements for young detainees from a detention place.

3. Authorisations and Delegations

- 3.1 The Manager has authority to make decisions about local leave directions and permits.
- 3.2 The Senior Manager has authority to make decisions about interstate leave permits. If the Senior Manager is not available, the Director may make a decision to grant a young detainee an interstate leave permit.

3.3 The Senior Manager may make a decision to revoke a local or interstate leave permit in accordance with this policy and procedure.

3.4 References to escort officer in this policy mean a youth detention officer, police officer or a corrections officer. This policy and related policies are to be applied by all persons exercising escort functions as an escort officer under this policy.

4. Definitions

Adult young detainee is a young detainee who is 18 years or over, but under 21 years. An adult young detainee who is 21 years or older cannot be detained at a detention place.

Detention place is a place declared by the Minister to be a detention place under section 142 of the *Children and Young People Act 2008*.

Directions may be given by a youth detention officer under section 146 of the *Children and Young People Act 2008* to a young detainee about anything related to the criminal matters chapters. A young detainee must comply with any direction given to the young detainee by a youth detention officer under section 184 of the *Children and Young People Act 2008*. Non-compliance by a young detainee with a direction given by a youth detention officer is a behaviour breach and may be dealt with through the Behaviour Management or Discipline Policies or Procedures.

Director refers to the Director of the Youth Directorate within the Office for Children, Youth and Family Support, Department of Disability, Housing and Community Services.

Escort officer is defined in the dictionary of the *Children and Young People Act 2008* and means a youth detention officer, a police officer or a corrections officer.

Family member is defined in section 13 of the *Children and Young People Act 2008* and means the child's or young person's parent, grandparent or step-parent; or son, daughter, stepson or stepdaughter; or sibling; or uncle or aunt; or nephew, niece or cousin. For an Aboriginal or Torres Strait Islander child or young person, a family member includes a person who has responsibility for the child or young person in accordance with the traditions and customs of the child's or young person's Aboriginal or Torres Strait Islander community.

Interstate Leave Permit is a written permit issued by the Senior Manager under section 242 of the *Children and Young People Act 2008* and authorises a young detainee's leave to travel to and from, and remain in, another State.

Local Leave Direction is a written direction issued by the Senior Manager or Operations Manager under section 240 of the *Children and Young People Act*

2008 that a young detainee be taken from a detention place to another place in the ACT for any purpose considered appropriate.

Local Leave Permit is a written permit issued by the Senior Manager or Operations Manager under section 241 of the *Children and Young People Act 2008* and authorises a young detainee to be absent from a detention place for the purpose for which the direction was given.

Manager refers to the Senior Manager of a detention place during normal business hours, or in the event this person is unavailable, the Operations Manager of a detention place, or in the event this person is unavailable, a Unit Manager or in the event a Unit Manager is unavailable, the Programs and Services Manager. Outside normal business hours, this refers to the on-call manager.

Nominated person, for an adult young detainee, is a person nominated by the young detainee at the time of admission to whom the Chief Executive can give notifications under the *Children and Young People Act 2008*. The details of the nominated person must be entered in the register of young detainees.

Parental responsibility is defined at section 15 of the *Children and Young People Act 2008* and means all the duties, powers, responsibilities and authority parents have by law in relation to their children, including daily care and long-term care responsibility for the child or young person. Each parent of a child or young person has parental responsibility for the child or young person. A person may have or share parental responsibility for a child or young person under a court order under the *Children and Young People Act 2008* or another law or in the circumstances outlined at sections 17 and 18 of the Act.

Prohibited thing is a thing declared under section 148 of the *Children and Young People Act 2008* by the Chief Executive to be prohibited if the Chief Executive reasonably believes that the declaration is necessary or prudent to ensure security or good order at a detention place. The declaration of prohibited things is contained in the Search and Seizure Policy and Procedures.

Significant person for a child or young person is defined in section 14 of the *Children and Young People Act 2008* and means a person (other than a family member) who the child or young person, a family member of the child or young person or the chief executive considers is significant in the child's or young person's life.

State means an Australian State or Territory, including the Northern Territory.

Young detainee is defined in section 95 of the *Children and Young People Act 2008* and means a child, young person or person aged 18 to 21 years who is required to be held in the Chief Executive's custody.

Youth detention officer is defined at section 96 of the *Children and Young People Act 2008* and means an authorised person to whom the Chief Executive has delegated functions of a youth detention officer under the criminal matters chapters. The positions which have delegations as youth detention officers for the policies and procedures are: Senior Manager (C/3), Acting Senior Manager (C/4), Operations Manager (E/7), Programs and Services Manager (E/8), Unit Managers (F/7), Team Leaders (G/6), Youth Workers (I/4), Casual Youth Workers (J/3).

5. Principles

Legislative Principles

- 5.1 The *Children and Young People Act 2008* sets out the principles that must be considered by all decision-makers making decisions under the Act and this policy.

Section 8, Best interests of children and young people paramount consideration

- (1) In making a decision under this Act in relation to a particular child or young person, the decision-maker must regard the best interests of the child or young person as the paramount consideration.
- (2) In making a decision under this Act otherwise than in relation to a particular child or young person, the decision-maker must consider the best interests of children and young people.

Section 9, Principles applying to Act

- (1) In making a decision under this Act in relation to a child or young person, a decision-maker must have regard to the following principles where relevant, except when it is, or would be, contrary to the best interests of a child or young person:
 - (a) the child's or young person's sense of racial, ethnic, religious, individual or cultural identity should be preserved and enhanced;
 - (b) the child's or young person's education, training or lawful employment should be encouraged and continued without unnecessary interruption;
 - (c) the child's or young person's age, maturity, developmental capacity, sex, background and other relevant characteristics should be considered;
 - (d) delay in decision-making processes under the Act should be avoided because delay is likely to prejudice the child's or young person's wellbeing.
- (2) A decision-maker exercising a function under this Act must, where practicable and appropriate, have qualifications, experience or skills suitable to apply the principles in subsection (1) in making decisions under the Act in relation to children and young people.

Section 10, Aboriginal and Torres Strait Islander children and young people principle

In making a decision under this Act in relation to an Aboriginal or Torres Strait Islander child or young person, in addition to the matters in section 8 and section 9, the decision-maker must take into account the following:

- (a) the need for the child or young person to maintain a connection with the lifestyle, culture and traditions of the child's or young person's Aboriginal or Torres Strait Islander community;
- (b) submissions about the child or young person made by or on behalf of any Aboriginal or Torres Strait Islander people or organisations identified by the chief executive as providing ongoing support services to the child or young person or the child's or young person's family;
- (c) Aboriginal and Torres Strait Islander traditions and cultural values (including kinship rules) as identified by reference to the child's or young person's family and kinship relationships and the community with which the child or young person has the strongest affiliation.

Section 94, Youth justice principles

(1) For the criminal matters chapters, in deciding what is in the best interests of a child or young person, a decision-maker must consider each of the following matters that is relevant:

- (a) if a child or young person does something that is contrary to law, he or she should be encouraged to accept responsibility for the behaviour and be held accountable;
- (b) a child or young person should be dealt with in a way that acknowledges his or her needs and that will provide the opportunity to develop in socially responsible ways;
- (c) a child or young person should be consulted about, and be given the opportunity to take part in making, decisions that affect the child or young person, to the maximum extent possible taking into consideration their age, maturity and developmental capacity;
- (d) if practicable and appropriate, decisions about an Aboriginal and Torres Strait Islander child or young person should be made in a way that involves their community;
- (e) if a child or young person is charged with an offence, he or she should have prompt access to legal assistance, and any legal proceeding relating to the offence should begin as soon as possible;
- (f) a child or young person may only be detained in custody for an offence (whether on arrest, on remand or under sentence) as a last resort and for the minimum time necessary;
- (g) children, young people and other young offenders should be dealt with in the criminal law system in a way consistent with their age, maturity and developmental capacity and have at least the same rights and protection before the law as would adults in similar circumstances;
- (h) on and after conviction, it is a high priority to give a young offender the opportunity to re-enter the community;
- (i) it is a high priority that intervention with young offenders must promote their rehabilitation, and must be balanced with the rights of

any victim of the young offender's offence and the interests of the community.

(2) The decision-maker may also consider any other relevant matter.

(3) The youth justice principles are intended to be interpreted consistently with relevant human rights instruments and jurisprudence.

Example

Convention on the Rights of the Child

(4) A reference in subsection (1) to a child or young person includes a reference to a person who is at least 18 years old but is being dealt with in relation to an offence committed, or alleged to have been committed, when he or she was under 18 years old.

6. Policy and Procedures

Local Leave Directions

- 6.1 The Manager may issue a written direction that a young detainee be taken from a detention place to another place in the ACT. This is a local leave direction.
- 6.2 A local leave direction may be issued for any purpose the Manager considers appropriate, including but not limited to:
- (a) To attend an education or training program;
 - (b) To attend a health or rehabilitation service;
 - (c) For compassionate reasons;
 - (d) To attend employment or an interview for employment.
- 6.3 In making a decision to issue a local leave direction under 6.1, the Manager must consider the purpose of the leave and the young detainee's best interests.
- 6.4 In making a decision to issue a local leave direction under 6.1, the Manager may consider each of the following matters that are relevant:
- (a) The young detainee's views;
 - (b) The views of persons with parental responsibility for the young detainee;
 - (c) The young detainee's legal status;
 - (d) The length of the young detainee's detention;
 - (e) The young detainee's behaviour;
 - (f) The young detainee's security classification;
 - (g) The young detainee's case management plan;
 - (h) Any other relevant matter.
- 6.5 The Manager may make conditions to which the direction is subject.
- 6.6 Examples of conditions include:
- (a) that the young detainee is to be escorted during the period of the direction;

- (b) that the young detainee is not to have contact with a stated person or be at or near a stated place;
- (c) that the young detainee is to be subject to the supervision of a stated person during the direction; or
- (d) that the young detainee is to be subject to the use of a restraining device, such as handcuffs.

6.7 Any conditions to which the direction is subject must be stated in the direction.

6.8 If the Manager issues a written direction under 6.1, the Manager must give the young detainee a local leave permit to be absent from a detention place for the purpose stated in the direction.

6.9 The local leave permit form must be used.

Local Leave Permits

6.10 A young detainee may apply for a local leave permit. Staff must provide assistance to a young detainee to make an application in writing. The application must state the purpose for which leave is requested.

6.11 After receiving an application from a young detainee or on the Manager's own initiative, the Manager may issue to a young detainee a local leave permit to be absent from a detention place, and to be in another place in the ACT.

6.12 The local leave permit may be issued for any purpose the Manager considers appropriate, including but not limited to:

- (a) To attend an education or training program;
- (b) To attend a health or rehabilitation service;
- (c) For compassionate reasons;
- (d) To attend employment or an interview for employment.

6.13 In making a decision to issue a local leave permit under 6.11, the Manager must consider the purpose of the leave and the young detainee's best interests.

6.14 In making a decision to issue a local leave permit under 6.11, the Manager may consider each of the following matters that are relevant:

- (a) The young detainee's views;
- (b) The views of persons with parental responsibility for the young detainee;
- (c) The young detainee's legal status;
- (d) The length of the young detainee's detention;
- (e) The young detainee's behaviour;
- (f) The young detainee's security classification;
- (g) The young detainee's case management plan;
- (h) Any other relevant matter.

- 6.15 The Manager may make conditions to which the local leave permit is subject.
- 6.16 Examples of conditions include:
- (a) that the young detainee is to be escorted during the period of the direction;
 - (b) that the young detainee is not to have contact with a stated person or be at or near a stated place;
 - (c) that the young detainee is to be subject to the supervision of a stated person during the direction; or
 - (d) that the young detainee is to be subject to the use of a restraining device, such as handcuffs.
- 6.17 Any conditions to which the permit is subject must be stated in the local leave permit.
- 6.18 The local leave permit form must be used.

Effect of Local Leave Permit

- 6.19 A local leave permit for a young detainee is the lawful authority for the young detainee to be absent from a detention place in accordance with the permit.
- 6.20 A local leave permit may authorise the leave to be unescorted or escorted.
- 6.21 A young detainee who is absent from a detention place under a local leave permit is in the legal custody of the Chief Executive. This applies regardless of whether the local leave permit is subject to a condition that the young detainee is under escort.
- 6.22 A young detainee who is subject to a local leave permit with a condition that the leave is escorted is in the legal custody of both the Chief Executive and the escort officer.

Contravention of Local Leave Permit

- 6.23 A young detainee who is subject to a local leave permit must carry the local leave permit with them while absent from a detention place under the leave permit.
- 6.24 For a young detainee on unescorted leave under a local leave permit, the Senior Manager may revoke the local leave permit and notify police if information is received that a young detainee is not complying with the conditions of the leave permit.
- 6.25 For a young detainee on unescorted leave under a local leave permit, the procedures at 'Failure to return to detention place following unescorted leave' below must be applied if the young detainee fails to

return to a detention place by the date and time required by the leave permit.

- 6.26 For a young detainee on escorted leave under a local leave permit, the procedures at 'Attempted escape or escape from custody of escort officer under leave permit' below must be applied if the young detainee escapes or attempts to escape lawful custody.
- 6.27 For a young detainee on escorted leave under a local leave permit, the procedures at 'Other grounds for revoking leave permit' must be applied if the escort officer has concerns about the safety or secure custody of the young detainee under escort, their own safety or the safety of another person.
- 6.28 A young detainee commits a behaviour breach if the young detainee contravenes a condition of a local leave permit. Refer to Behaviour Management policy and procedures.

Interstate Leave Permits

- 6.29 A young detainee may apply for an interstate leave permit. Staff must provide assistance to a young detainee to make an application in writing. The application must state the purpose for which leave is requested.
- 6.30 The Senior Manager may, after receiving an application from a young detainee or on the Senior Manager's own initiative, issue an interstate leave permit to a young detainee which authorises the young detainee's leave from a detention place to travel to and from, and remain in, another State.
- 6.31 In making a decision to issue an interstate leave permit under 6.30, the Senior Manager must consider the purpose of the leave and the young detainee's best interests.
- 6.32 In making a decision to issue an interstate leave permit under 6.30, the Senior Manager may consider each of the following matters that are relevant:
- (a) The young detainee's views;
 - (b) The views of persons with parental responsibility for the young detainee;
 - (c) The young detainee's legal status;
 - (d) The length of the young detainee's detention;
 - (e) The young detainee's behaviour;
 - (f) The young detainee's security classification;
 - (g) The young detainee's case management plan;
 - (h) Any other relevant matter.
- 6.33 The Senior Manager may issue an interstate leave permit for a young detainee with a high security classification only if the leave is to enable

the young detainee to receive a health service or for a compassionate reason.

- 6.34 The Senior Manager may issue an interstate leave permit for a young detainee in any other case for any purpose the Senior Manager believes on reasonable grounds is appropriate.
- 6.35 The Senior Manager may prescribe necessary and reasonable conditions to which the interstate leave permit is subject.
- 6.36 Examples of conditions include:
- (a) that the young detainee is to be escorted during the period of the direction;
 - (b) that the young detainee is not to have contact with a stated person or be at or near a stated place;
 - (c) that the young detainee is to be subject to the supervision of a stated person during the direction; or
 - (d) that the young detainee is to be subject to the use of a restraining device, such as handcuffs.
- 6.37 Any conditions to which the direction is subject must be stated in the interstate leave permit.
- 6.38 The interstate leave permit form must be used.

Effect of interstate leave permit

- 6.39 An interstate leave permit for a young detainee is the lawful authority for the young detainee to be absent from a detention place in accordance with the permit.
- 6.40 An interstate leave permit may authorise the leave to be unescorted or escorted.
- 6.41 A young detainee who is absent from a detention place under an interstate leave permit is in the legal custody of the Chief Executive. This applies regardless of whether the interstate leave permit is subject to a condition that the young detainee is under escort.
- 6.42 A young detainee who is subject to an interstate leave permit with a condition that the leave is escorted is in the legal custody of both the Chief Executive and the escort officer.

Escorted Interstate Leave

Legal Authority for Escort

- 6.43 An interstate leave permit with a condition that the young detainee is escorted by an escort officer is the legal authority for the escort officer to escort the young detainee to and within the State stated in the permit and back to a detention place.

6.44 The interstate leave permit also authorises the escort officer to escort the young detainee through a State to another State.

Powers of escort officers

6.45 An escort officer escorting a young detainee under an interstate leave permit has powers to take and keep custody of the young detainee under the permit.

6.46 An escort officer may give the young detainee any direction that the officer believes on reasonable grounds is necessary and reasonable for the safe custody of the young detainee under the permit.

6.47 Examples of directions that an escort officer may give include:

- (a) A direction that the young detainee not have contact with a particular person;
- (b) A direction that the young detainee remain within sight of the escort officer;
- (c) A direction that the young detainee remain at a certain place for a stated period.

6.48 A young detainee must comply with any direction given to the young detainee by the Chief Executive or delegate (section 184 of the *Children and Young People Act 2008*).

6.49 Non-compliance by a young detainee with a direction given by the Chief Executive or delegate is a behaviour breach and may be responded to through the behaviour management policy. Refer to Behaviour Management policy and procedures.

6.50 An escort officer may use force in accordance with the Use of Force policy and procedure to keep custody of the young detainee under the permit.

6.51 An escort officer escorting a young detainee under an interstate leave permit may conduct a scanning search, frisk search or ordinary search of the young detainee if the officer suspects on reasonable grounds that the young detainee may be carrying a prohibited thing.

6.52 For a scanning, frisk or ordinary search under 6.51, an escort officer escorting a young detainee under an interstate leave permit must apply the search rules outlined in the Search and Seizure policy and procedure.

Contravention of Interstate Leave Permit

6.53 A young detainee who is subject to an interstate leave permit must carry the interstate leave permit with them while absent from a detention place under the leave permit.

6.54 For a young detainee on unescorted leave under an interstate leave permit, the Senior Manager may revoke the interstate leave permit and

notify police if information is received that a young detainee is not complying with the conditions of the leave permit.

- 6.55 For a young detainee on unescorted leave under an interstate leave permit, the procedures at 'Failure to return to detention place following unescorted leave' below must be applied if the young detainee fails to return to a detention place by the date and time required by the leave permit.
- 6.56 For a young detainee on escorted leave under an interstate leave permit, the procedures at 'Attempted escape or escape from custody of escort officer under leave permit' below must be applied if the young detainee escapes or attempts to escape lawful custody.
- 6.57 For a young detainee on escorted leave under an interstate leave permit, the procedures at 'Other grounds for revoking leave permit' must be applied if the escort officer has concerns about the safety or secure custody of the young detainee under escort, their own safety or the safety of another person.
- 6.58 A young detainee commits a behaviour breach if the young detainee contravenes a condition of an interstate leave permit. Refer to Behaviour Management policy and procedures.

Failure to return to detention place following unescorted leave

- 6.59 A young detainee who fails to return to a detention place by the required date and time following a period of unescorted leave under a local leave permit or interstate leave permit is in contravention of the permit.
- 6.60 If a young detainee fails to return to a detention place from unescorted leave by the required date and time, the Unit Manager must do the following:
- (a) attempt to contact the young detainee by telephone at the location of the approved leave and determine if there is a reason why the young detainee has been delayed. If the young detainee is contacted, the Unit Manager must arrange for the young detainee to be picked up and escorted back to the detention place immediately;
 - (b) if unable to contact the young detainee, the Unit Manager must contact the identified contact person with whom the young detainee is on leave (e.g. parent, school or service provider) and determine if there is a reason why the young detainee has been delayed in returning to the detention place. If the Unit Manager identifies the young detainee is still at the leave location and has been delayed, the Unit Manager must arrange for the young detainee to be picked up and escorted back to the detention place immediately;
 - (c) if the Unit Manager is unable to contact either the young detainee, the contact person or another suitable person, the Unit Manager must notify the Senior Manager and then call the Police to advise them that a

- young detainee is in contravention of a leave permit and provide all necessary details to assist the Police in locating the young detainee;
- (d) the Unit Manager must continue to attempt to contact the young detainee or contact person until they make contact, return or are located by the Police; and
 - (e) the Unit Manager must continue to keep the Senior Manager informed of the situation and any progress or changes.

Attempted escape or escape from custody of escort officer under leave permit

- 6.61 If a young detainee attempts to escape or escapes from the custody of an escort officer during escorted leave under a local leave permit or interstate leave permit, the escort officer must do the following:
- (a) make all attempts to prevent the young detainee from escaping, including using such force as is necessary to prevent the young detainee escaping. Any use of force must be consistent with the Use of Force Policy and Procedure;
 - (b) if the young detainee successfully escapes, contact the detention place (Control Room) and notify the Unit Manager or if unavailable, the most senior staff member of the situation and where appropriate seek and/or follow further direction;
 - (c) where possible and safe to do so (without risk of harm to the young detainee, staff member or any other person) attempt to follow the young detainee and persuade them to stop and return to the detention place;
 - (d) notify the Police in the local jurisdiction of the young detainee escaping from custody and provide all necessary details to assist the Police in locating the young detainee; and
 - (e) provide regular updates to the Police and the detention place on the situation including any changes or progress.
- 6.62 Upon receiving notification from an escort officer that a young detainee has escaped from the custody of the escort officer, the Unit Manager or next most senior operational officer must:
- (a) notify the Senior Manager immediately who must revoke the leave permit and give further directions and conditions for the escort;
 - (b) maintain regular contact with the escort officer and provide directions with respect to further actions to be undertaken;
 - (c) arrange for the notification of the young detainee's person with parental responsibility; and
 - (d) continue to keep the Senior Manager and person with parental responsibility informed of the situation and any progress or changes.

Other grounds for revoking leave permit

- 6.63 If, during an escort of a young detainee under a local or interstate leave permit, an escort officer has concerns about the safety or secure custody of the young detainee under escort, their own safety or the safety of another person (for example, due to the behaviour of the young detainee or another person), the escort officer must:

- (a) where possible and safe to do so, take necessary action to maintain safe and secure custody of the young detainee, including using necessary and reasonable force consistent with the Use of Force Policy and Procedure;
 - (b) contact the detention place (Control Room) and notify the Unit Manager or if unavailable, the most senior staff member of the situation; and
 - (c) follow further directions and conditions for the escort, which may include a direction for the escort officer to return the young detainee to a detention place or take the young detainee to another place.
- 6.64 Upon receiving notification from an escort officer of the escort officer's concerns for the safety and security of the escort, the Unit Manager or next most senior operational officer must:
- (a) notify the Senior Manager immediately who may revoke the leave permit and give further directions and conditions for the escort, including a direction for the escort officer to return the young detainee to a detention place or take the young detainee to another place;
 - (b) maintain regular contact with the escort officer and provide directions with respect to further actions to be undertaken; and
 - (c) continue to keep the Senior Manager informed of the situation and any progress or changes.

Reporting contravention of leave permits

- 6.65 Upon receiving notification that a young detainee has contravened a local or interstate leave permit, the Senior Manager must immediately notify the Director. The Senior Manager must also, if the Chief Executive has parental responsibility for the young detainee, notify the Director, Care and Protection.

Provision of information, review of decisions and complaints

- 6.66 Following an application received from a young detainee for a local or interstate leave permit and a decision by the Manager or Senior Manager to refuse to issue a leave permit, the Manager must ensure the young detainee is informed of the decision and the reasons for the decision.
- 6.67 After making a decision to issue a local leave permit or interstate leave permit for a young detainee, the Manager must arrange for notification of a person with parental responsibility for the young detainee, if the young detainee is under 18 years or notification of a nominated person for an adult young detainee.

Records and Reporting

- 6.68 The Senior Manager must notify the Director of the following decisions under this policy and procedure:
- (a) a decision to grant a local or interstate leave permit to a young detainee;

- (b) a decision to refuse to issue a local or interstate leave permit to a young detainee; and
- (c) a decision to revoke a young detainee's local or interstate leave permit.

7. Forms and Templates

Local Leave Permit
Interstate Leave Permit

8. Related Policies and Procedures

Policies and Procedures under the *Children and Young People Act 2008*

Behaviour Management Policy and Procedures
Discipline Policy and Procedures
Search Policy and Procedures
Use of Force Policy and Procedures
Transfers Policy and Procedures
Escorts Policy and Procedures
Admission and Classification Policy and Procedures
Death in custody Policy and Procedures
Treatment of Convicted and Non-Convicted Detainees Policy and Procedures

9. Further References

Dictionary for Policies and Procedures