

Transfers Policy

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Acronyms	Full form
NT	Northern Territory
TDS	Territory Duty Superintendent
YDC	Youth Detention Centre

Contents

1. Before a Transfer.....	4
1.1. Decision to Transfer	4
1.2. Security Arrangements.....	4
1.3. Restraints	6
1.4. Searches	6
1.5. Vehicle.....	7
2. During a Transfer.....	7
2.1. Communications.....	7
2.2. Use of force	7
2.3. Escape or attempted escape	7
2.4. Transport.....	8
3. Termination of Transfer	8
4. Entering the YDC.....	8
4.1. Re-admission/Searches.....	8
4.2. Vehicles	9
4.3. Records.....	9

1. Before a Transfer

1.1. Decision to Transfer

1. Under section 168A of the *Youth Justice Act 2005*, the Superintendent of a detention centre may determine, as the Superintendent sees appropriate, that a detainee held in a detention centre is to be transferred to another detention centre.

1.2. Security Arrangements

2. All staff transferring young people must be trained in escort procedures, use of approved restraints and the use of force.
3. All Youth Justice Officers must wear their uniform.
4. Youth Justice Officers must always carry their Departmental employee identification card.
5. Detainees will wear their youth detention centre uniform when being transferred between youth detention facilities.
6. The Shift Manager is responsible for ensuring that while a detainee is being transferred outside of a Youth Detention Centre that they are supervised in accordance with the risk associated with the transfer.
7. All Youth Justice Officers must ensure the detainee is reviewed by the Primary Health Care Provider to ensure the detainee is fit for transfer and that any health care needs can be met during the transfer. Any concerns relating to the wellbeing of a detainee are to be communicated with the Primary Health Care Provider.
8. If a detainee has been reviewed by a Primary Health Care Provider within 24 hours of an episode in detention, another review does not have to be completed.
9. The Shift Manager organising a transfer of a detainee must ensure the detainee is supervised in accordance with the risk associated with the escort.
10. A transfer risk rating assessment needs to be completed for every transfer and must be endorsed by the Shift Manager prior to the transfer. This risk assessment comprises of a Site Risk Assessment, and a Detainee in Detention Security Risk Assessment.
11. Prior to undertaking high, or extreme risk transfer, the Shift Manager is required to obtain written approval in accordance with the *Escorts Delegation Schedule*.

Site Risk Rating	Extreme	Medium	High	Extreme	Extreme
	High	Low	Medium	High	Extreme
	Medium	Low	Medium	Medium	High
	Low	Low	Low	Low	Medium
		Low	Medium	High	Extreme
Young Person Risk Rating					

Table 1: Transfer Risk Ratings

12. The Shift Manager must conduct a briefing with the transfer officers prior to each transfer. During the briefing, the Shift Manager will designate an Officer in Charge of the transfer who will be responsible for the communications between the transfer team and the Shift Manager.
13. The Superintendent/Duty Manager must ensure appropriate security arrangements are in place prior to extreme risk transfers, including briefing all Youth Justice Offices involved with the transfer.
14. Youth Justice Officers will ensure the *Youth Detention Centre Escort Checklist* is completed prior to departure.

Transfer risk Rating	Staff	Restraints	Notifications	Approvals
Extreme	Minimum of three. Two in close proximity to the Detainee and hands on each arm and belt at all times unless approval is granted to remove.	Handcuffs and waist restraining belt applied if there is a belief on reasonable grounds, subject to s155 of the <i>Youth Justice Act 2005</i> . Use of restraints to be recorded on the register in the Case Management System	All lower risk rating notifications as well as notifications to the NT Police.	Superintendent (duty manager out of hours) with written notification to the Deputy Commissioner Youth Justice for awareness.
High	Consideration to be given for three staff but this can be facilitated by two staff to be in close proximity to the Detainee and hands on each arm and belt at all times unless approval is granted to remove.	Handcuffs and waist restraining belt applied if there is a belief on reasonable grounds, subject to s155 of the <i>Youth Justice Act 2005</i> . Use of restraints to be recorded on the register in the Case Management System	Duty Manager must be informed of the intention to depart, actual departure time, arrival at destination, departure from destination and return to the centre.	Superintendent (duty manager out of hours).

Medium	Two in close proximity to the Detainee and hands on each arm and belt at all times unless approval is granted to remove.	Handcuffs and waist restraining belt applied if there is a belief on reasonable grounds, subject to s155 of the <i>Youth Justice Act 2005</i> . Use of restraints to be recorded on the register in the Case Management System	Duty manager must be informed of intent to leave the site. Duty manager must be informed on return to the centre.	Team Leader approval with Deputy Superintendent awareness.
Low	Two in close proximity at all times with hands on Detainee in public areas.	Waist restraining belt applied if there is a belief on reasonable grounds, subject to s155 of the <i>Youth Justice Act 2005</i> . Handcuffs to be carried. Use of restraints to be recorded on the register in the Case Management System	Duty manager must be informed of intent to leave the site. Duty manager must be informed on return to the centre.	Team Leader approval with Deputy Superintendent awareness.

Table 2: Transfer Risk Rating Matrix

1.3. Restraints

15. A detainee may only be subject to restraint devices when under transfer outside of a Youth Detention Centre by approved restraints and when there is a reasonable belief that the detainee will:
 - a. inflict self-harm; or
 - b. harm another person; or
 - c. seriously damage property; or
 - d. likely to attempt to escape lawful detention.
16. Waist restraining belts are preferred when transferring a detainee outside of the Youth Detention Centre.
 - a. Waist restraining belts may be used in combination with handcuffs where it is considered necessary to restrain a detainee's hand and arm movement to a greater extent.
 - b. Waist restraining belts will not be used on a pregnant detainee.
17. For all transfers, handcuffs and waist restraining belts must be on hand should the security risk of the transfer change at any time.
18. Use of restraints on detainees will be recorded in the Register of Use of Restraints maintained on the Case Management System.

1.4. Searches

2. Prior to departing a Youth Detention Centre for a transfer, the detainee is to be assessed to determine whether there is a reasonable belief that a screening or search is necessary to ensure the safety of a person or to ensure the security of the detention centre.
3. If a reasonable belief is held, the screening or search, which includes a wand or pat-down search, must be conducted in accordance with *Policy Determination 2.1. Searches*.

1.5. Vehicle

19. For a low-risk transfer, a pool car may be used. For a medium, high or extreme risk transfer, the Youth Detention Centre secure vehicle must be used.
20. The vehicle will be thoroughly searched prior to the transfer and details of the search being completed will be recorded in the electronic vehicle search log sheet.
21. For transfers by way of aircraft, special risk management procedures apply in accordance with the *Transport* information sheet.

2. During a Transfer

2.1. Communications

4. The Officer in Charge will advise communications of any updates, concerns, issues or incidents during the transfer.
5. The Officer in Charge will record any update in events during the escort in the communications log attached to the Transfer Escort Checklist. Events include (but are not limited to):
 - a. Concerns;
 - b. Issues;
 - c. Medical Treatment;
 - d. Medications Issued;
 - e. Meals Issued;
 - f. Rest breaks;
 - g. Incidents arising during the transfer.
6. The Shift Manager will notify the Duty Manager when the detainee has departed from, and arrived at, the Youth Detention Centre.

2.2. Use of force

22. If force is deemed necessary for use during a transfer, it must only be used by a person authorised by the superintendent in accordance with *Policy Determination 2.5. Use of Force*.

2.3. Escape or attempted escape

23. In a situation relating to detainee escape, pursuant to S167 of the *Youth Justice Act 2005*:
 - a. The superintendent of a detention centre or a member of the staff of the centre may exercise the powers of a police officer to arrest and take into custody a detainee who has escaped, or is otherwise unlawfully absent, from a detention centre.

- b. A person exercising the powers of a police officer above:
 - i. Has the obligations of a police officer under the *Police Administration Act 1978*; and
 - ii. Has the same protection as a police officer under that act.
- 24. If a detainee attempts to escape, or escapes, custody during a transfer, the transferring Youth Justice Officer in charge must immediately notify the Superintendent and enact the attempted escape or escape procedures. Refer to the *Incident Management Plans for YDCs Procedure*.
- 25. If a detainee escapes during a transfer, the Youth Justice Officer in charge of the escort must immediately notify the Northern Territory Police Force and provide the circumstances of the transfer and description of the detainee including any identifying features.
- 26. In the event of escape, Youth Justice Officers must do all that is reasonable in their powers to take the detainee into custody.
- 27. Use of force (including pursuit and capture) is authorised in accordance with s167 of the *Youth Justice Act 2005* and *Policy Determination 2.5. Use of Force*.

2.4. Transport

- 28. The mode of transport to the Youth Detention Centres carries different risks, and therefore different procedures. Youth Justice Officers will follow the *Transport* information sheet relevant to the mode of transport.

3. Termination of Transfer

- 29. The Officer in Charge and the Youth Detention Centre Superintendent have the discretion to terminate a transfer at any time.
- 30. The following are grounds for termination of a transfer:
 - a. Non-compliance from a detainee in response to reasonable requests.
 - b. Interference from individuals outside of the transfer team.
 - c. Escape attempts.
 - d. An attempted or completed self-harm incident.
 - e. Escalation in mood.
 - f. Property damage.
 - g. Reasonable circumstances as determined by the Officer in Charge and the Youth Detention Centre Superintendent.

4. Entering the YDC

4.1. Re-admission/Searches

- 7. Upon re-admission to the Youth Detention Centre, the detainee is to be assessed to determine whether there is a reasonable belief that a screening or search is necessary to ensure the safety of a person or to ensure the security of the detention centre.
- 8. If a reasonable belief is held, the screening or search, which includes a wand or pat-down search, must be conducted in accordance with *Policy Determination 2.1. Searches*.

9. Youth Justice Officers will direct the detainee to change their clothing to standard Youth Detention Centre attire.
10. If a detainee has been reviewed by a Primary Health Care Provider within 24 hours of an episode of detention, another review does not have to be completed.
11. All Youth Justice Officers must ensure the detainee is reviewed by the Primary Health Care Provider to ensure the detainee is fit for transfer and that any health care needs can be met during the transfer. Any concerns relating to the wellbeing of a detainee are to be communicated with the Primary Health Care Provider.
12. Youth Justice Officers will confirm the detainee's movement is completed, and property is returned on the Case Management System.
13. Youth Justice Officers will return the detainee to the appropriate unit of the Youth Detention Centre.

4.2. Vehicle searches

31. Youth Justice Officers will thoroughly search and clean any motor vehicle used to transport the detainee. If prohibited items are located as a result of the search, Youth Justice Officers will report to the Shift Manager and ensure the items are secure.
32. An incident report will be created on the Case Management System.

4.3. Records

33. Youth Justice Officers will ensure all records and reports (including Incident, Use of Force and/or Use of Restraints reports) relating to the behaviour of the detainee during the transfer and any resulting actions by the Youth Justice Officers or other authority are completed by the end of shift.
34. The Shift Manager will ensure all reports are complete and attached to the detainee's Case Management System file by the end of the shift.