

# Tasmanian Youth Justice Facility

## Model of Care

Creating a supportive, rights-based and rehabilitative environment to help children and young people thrive and safely return to and remain in the community.

CONSULTATION DRAFT

February 2026



Department of Education,  
Children and Young People

# Foreword

The Tasmanian Government is committed to building a youth justice system that is safe, therapeutic, and focused on rehabilitation. This Consultation Draft of the new Tasmanian Youth Justice Facility Model of Care represents a significant step in improving youth justice outcomes in Tasmania, delivering on the recommendations of the *Commission of Inquiry into the Tasmanian Government's Responses to Child Sexual Abuse in Institutional Settings* and the priorities set out in the *Youth Justice Blueprint 2024-2034*.

This Model of Care will set the operating philosophy for our new Tasmanian Youth Justice Facility (the facility) and outline how services will be delivered to children and young people in detention. It reflects a child-centred, rights-based approach that prioritises safety, wellbeing, cultural connection and enduring relationships. It also reflects the need for children and young people to receive support to develop an understanding of the impact of the harm caused to victims and to engage in opportunities for reparation and restoration, while those working alongside them advocate for wider system and societal supports that reduce the likelihood of reoffending.

The new facility is one part of our broader response to youth offending in Tasmania. The focus of the reforms is on diversion and early intervention, with detention as a last resort. For the small number of children and young people who require detention in a secure facility, this model provides a framework for healing, growth, accountability and rehabilitation. By changing behaviour and improving life outcomes, the Model of Care aims to reduce the likelihood of future reoffending – improving outcomes for the whole community.

We know that meaningful change requires collaboration. That is why we are inviting Tasmanians to engage with this draft and share your views. Your feedback will help us shape a Model of Care for youth detention in our state, which delivers the best outcomes for children, young people and our wider community.

I encourage you to read this document and contribute your ideas.



Peter Whitcombe

Deputy Secretary Child Safety and Youth Justice Operations  
Department for Education, Children and Young People

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## **Acknowledgement of Country**

In recognition of the deep history and culture of this island, we acknowledge and pay our respects to Tasmanian Aboriginal people, the traditional Owners and ongoing Custodians of Tasmania. We recognise Tasmanian Aboriginal people's continuing connection to Land, Sea, Waterways, Sky and Culture and extend our respects to Elders, past and present. We are committed to working in partnership with Tasmanian Aboriginal people, to address the over-representation of Aboriginal children and young people in detention, ensuring they are safe and supported to live culturally rich and thriving lives.

## **Acknowledgement of lived experience**

We acknowledge and deeply respect the contributions of individuals with lived experience of Tasmania's justice system, recognising the invaluable expertise they bring through their personal journeys. Their perspectives provide critical insight into the challenges and opportunities for meaningful change, helping to shape more effective, compassionate and collaborative approaches. We also honour the role of families, friends and support networks in this journey, appreciating their contributions to learning, growth and the pursuit of better outcomes for individuals and communities alike.

## **Acknowledgement of victim survivors**

This Model of Care addresses recommendations made by the Commission of Inquiry into the Tasmanian Government's Response to Child Sexual Abuse in Institutional Settings. We acknowledge the trauma that continues to affect people with lived experience of child abuse. We are committed to being sensitive to this trauma as we use the learnings from past wrongs to protect the rights of current and future generations of children and young people and keep them safe from harm.

## **Acknowledgement of victims of crime**

We recognise that every crime has a real and lasting impact on victims, their families and the wider community. This Model of Care is designed to support children and young people to take responsibility for their actions, understand the impact of their behaviour and address underlying triggers and factors that contribute to offending. Through promoting restoration and reparation and supporting rehabilitation, we aim to reduce reoffending and prevent further harm. By focusing on positive change, we aim to contribute to safer communities.

# 1. Purpose of this consultation draft

This consultation draft of the Model of Care (MoC) for the new Tasmanian Youth Justice Facility (the facility) outlines how we will reform how children and young people are detained in Tasmania to ensure that the new facility:

- Promotes the development of trusting and therapeutic relationships between children and young people and staff
- Facilitates and enhances trauma-informed, therapeutic interventions for children and young people
- Minimises stigma to children and young people
- Facilitates and promotes connections between children and young people, and their families
- Protects children and young people against the risks of child sexual abuse (including harmful sexual behaviours)
- Provides supports to address offending behaviour, reduce reoffending and enhance community safety.

This MoC is intentionally comprehensive as it provides the framework that details all aspects of service delivery at the new facility. It is intended to support the development of practice, policies, procedures and practical resources for policymakers and practitioners working in the new facility. This includes specific practice, policies and procedures regarding

restrictive practices (including use of force/restraint, isolation and searches), which will be developed in line with a child-centred, rights-based and harm-minimisation approach. The MoC supports the design of innovative, evidence-based practices that reflect current best practice and responds to the evolving needs of children and young people. It also serves as a tool for advocating new models and approaches ensuring they receive attention, support, and resources necessary for successful implementation. It is a catalyst for meaningful change, enhancing quality of care and promoting a child-centred and rights-based approach, and improving outcomes for children, young people, families and communities.

This consultation draft is seeking stakeholders' views on the following:

1. How should we deliver services for children, young people and their families, so they feel safe, and are heard, valued and respected?
2. What do children, young people and their families need to experience?
3. What do Aboriginal<sup>1</sup> children, young people, families, staff and communities need?

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<sup>1</sup> This document uses the term 'Aboriginal' to describe all First Nations people in Tasmania.

4. What is needed for children and young people to successfully return to family and community?
5. What values, skills and knowledge do the people who work with children and young people need?
6. What do parents, carers and families need?
7. What programs and activities are needed to engage, support and grow children and young people?
8. What does the community need to support children and young people in the facility, outside the facility and when they leave?
9. What does the community need to build a sense of safety when children and young people leave the youth justice system and return to the community?
10. What else? Who else? Where else? You may also wish to provide feedback on specific parts of the MoC. You can provide feedback on the:
  - Practice standards
  - Relational pathway
  - Care domains
  - Organisational framework.

## Where can I find more information?

More information about the MoC is available on our [website](#).

You can also access:

- a summary version of the consultation draft
- a plain English version
- a video about the MoC and consultation process

## How can I make a submission?

You can provide your feedback by:

- Online survey: respond to the questions outlined in this document directly via the survey, which you can access on our [website](#). A plain English version of the survey is also available on our website.
- Email: send your thoughts on the MoC and questions to [newyjfacility@decyp.tas.gov.au](mailto:newyjfacility@decyp.tas.gov.au) using the subject line Tasmanian Youth Justice Facility MoC.
- Mail: send a physical copy of your response to –  
Department for Education, Children and Young People  
Attention: New Youth Justice Facility Project Team  
GPO Box 169  
Hobart TAS 7001

Other than indicated below, submissions will be treated as public information and will be published on our website.

No personal information other than an individual's name or the organisation making a submission will be published.

If you would like your submission treated as confidential, whether in whole or in part, please indicate this in writing at the time of making your submission, clearly identifying the parts of your submission you want to remain confidential and the reasons why. In this case, your submission will not be published to the extent of that request.

## 2. Strategic context

The *Youth Justice Blueprint 2024-2034* sets the Tasmanian Government's agenda for whole-of-system youth justice reform for the next 10 years.

The goal of the Youth Justice Blueprint is to reduce the number of children and young people entering or re-entering the youth justice system. To achieve this goal, the blueprint focuses on supports and services to meet the needs of children, young people and their families through a contemporary, child-rights, therapeutic, and integrated approach to youth offending.

In line with a public health approach, the reform program has a focus on prevention, early intervention and diversion, through to services for repeat and high-risk offenders, aimed at changing the outcomes for children and young people who are at risk of engaging, or are engaged in offending behaviours, while keeping our communities safe.

### **Five key strategies underpin the Youth Justice Blueprint's reform program:**

1. Prioritise prevention and early intervention to reduce engagement with the youth justice system
2. Ensure diversion from the justice system is early and lasting
3. Establish a therapeutically based criminal justice response for children and young people
4. Integrate and connect whole-of-government and community service systems
5. Provide an appropriately trained, supported and culturally aligned therapeutic workforce

Under these strategies the Tasmanian Government has released the Youth Justice Model of Care and Youth Justice Diversionary Services Framework to embed the approach of the Blueprint throughout the youth justice sector. These documents cover service providers across the youth justice continuum, ranging from prevention through to tertiary responses and transitioning children and young people back into community-based supports.

Other programs of work include expanding early intervention, prevention and diversion programs, developing bail support and transition options, developing an Aboriginal Youth Justice Strategy and reviewing the *Youth Justice Act 1997* (Tas).

The Youth Justice Model of Care provides the overarching operating philosophy for youth justice services in Tasmania.

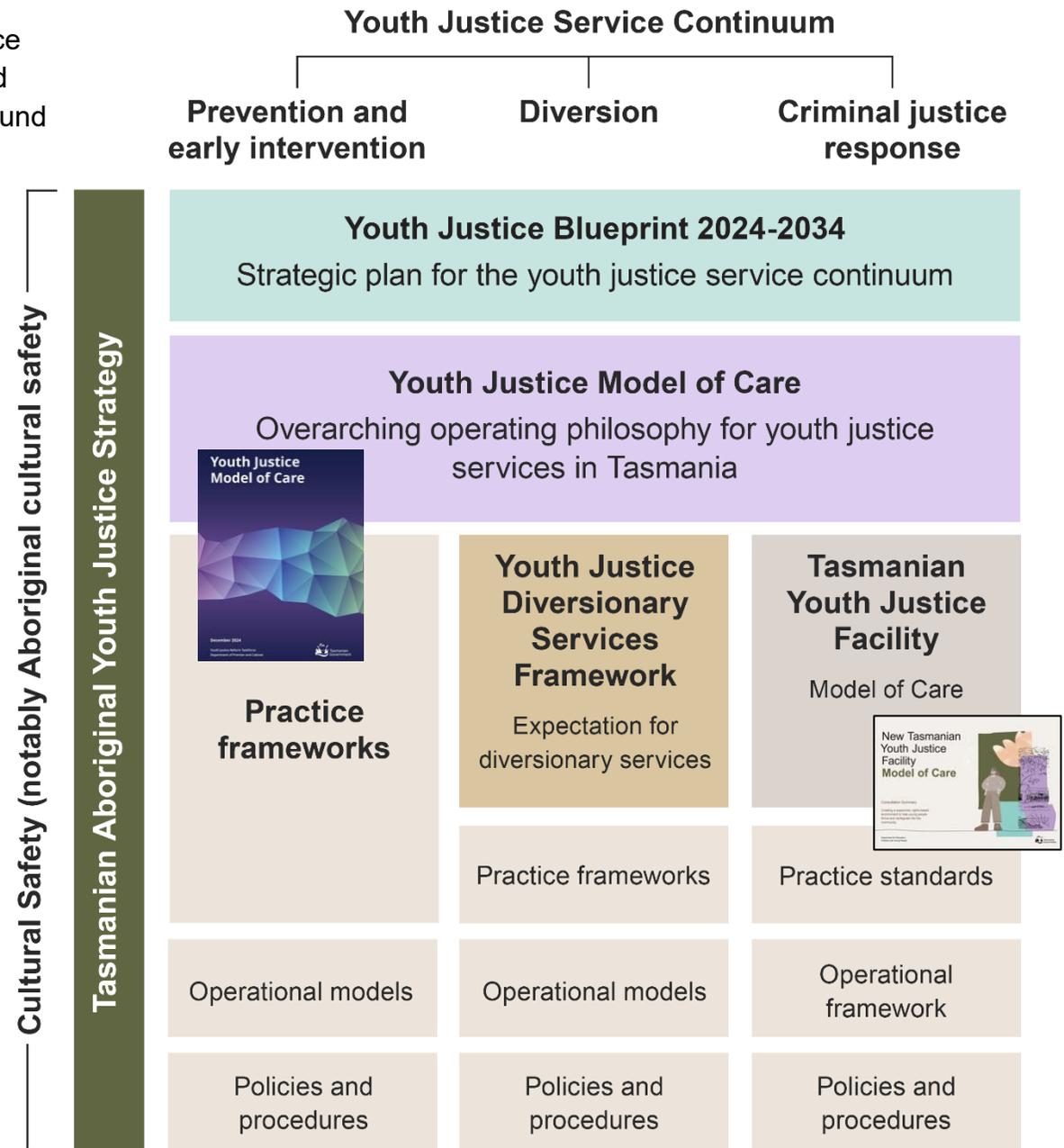
The Youth Justice Model of Care is built on nine principles that reflect national and international best practice approaches to supporting children and young people in, or at risk of entering, the youth justice system. These principles aim to address the root causes of offending, support a positive pathway for return to the community and promote community safety.

Figure: principles diagram

	Rights-based, child, young person and family centred
	Participation, agency and voice
	Therapeutic and strength-based
	Trauma-informed
	Social and community-based approaches
	Throughcare and collaboration
	Aboriginal culturally responsive and safe
	Safety and wellbeing
	Evidence-informed

The diagram right illustrates where the MoC for the new Tasmanian Youth Justice Facility fits within the youth justice reform service continuum. The Youth Justice Blueprint and Youth Justice Diversionary Services Framework can be found on the [Keeping Children Safe](#) website.

Figure 1: Youth Justice Service Continuum.  
See Appendix 2 for text description.



## **New Tasmanian Youth Justice Facility**

The new facility contributes to the implementation of the Commission of Inquiry into the Tasmanian Government's Responses to Child Sexual Abuse in Institutional Settings (Commission of Inquiry) recommendations. The Commission of Inquiry Final Report contains 39 recommendations specific to youth detention.<sup>2</sup> This includes recommendation 12.16, which outlines that the new youth detention facility should be small, homelike and promote trusting, therapeutic, trauma-informed interventions for children and young people.

This MoC specifically relates to recommendation 12.18 of the Commission of Inquiry and describes the way youth justice services will be delivered for children and young people who are in detention as a last resort, from first point of contact with the facility through to exit from the facility.

The MoC contributes to the safety and wellbeing of the community as it enhances positive prosocial behaviour and protective factors through reparation, rehabilitation and the sustainable, safe return to the community.

The MoC outlines the operating philosophy, service objectives and service standards for detention that are based on non-punitive, child-centred, trauma informed, culturally safe practice and reflect international best practice in youth justice.

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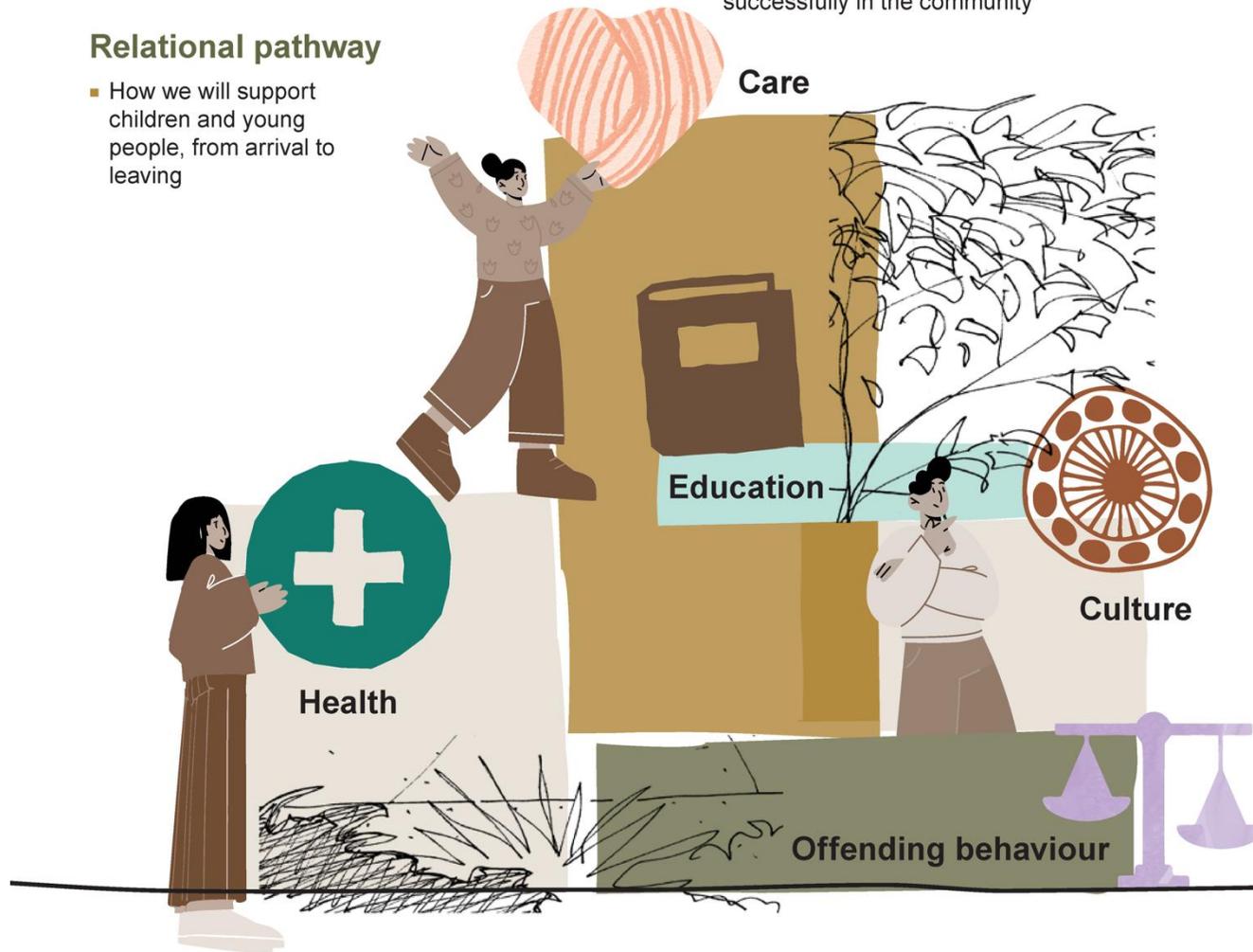
<sup>2</sup> These recommendations are outlined in full in the final report of the Commission of Inquiry, available at [Chapter 12 – The way forward: Children in youth detention](#)

# Model of Care

Figure 2: Model of Care.  
See Appendix 3 for text description.

## Relational pathway

- How we will support children and young people, from arrival to leaving



## Vision

### To enable:

- An environment where children and young people experience the highest standards of child-centred, rights-based therapeutic care and education, services and opportunities, supporting them to enhance connections and return and remain successfully in the community

## Purpose

### To provide:

- A safe, secure and rehabilitative facility for children and young people where healing and wellbeing is the primary focus
- An environment where children and young people are supported to understand and address their offending behaviour to prevent reoffending and enable their successful return to the community
- An environment where children, young people, staff and visitors feel safe and supported
- The community with confidence that children and young people in detention are in a safe, purpose-built facility that provides a high standard of care and rehabilitation support

## Practice Standards

- Child-centred and rights-based
- Enduring connections
- Culturally safe and connected
- Safety and wellbeing of children and young people
- Therapeutic and trauma transformative
- Staff support and wellbeing
- Continuity and throughcare

## Organisational framework

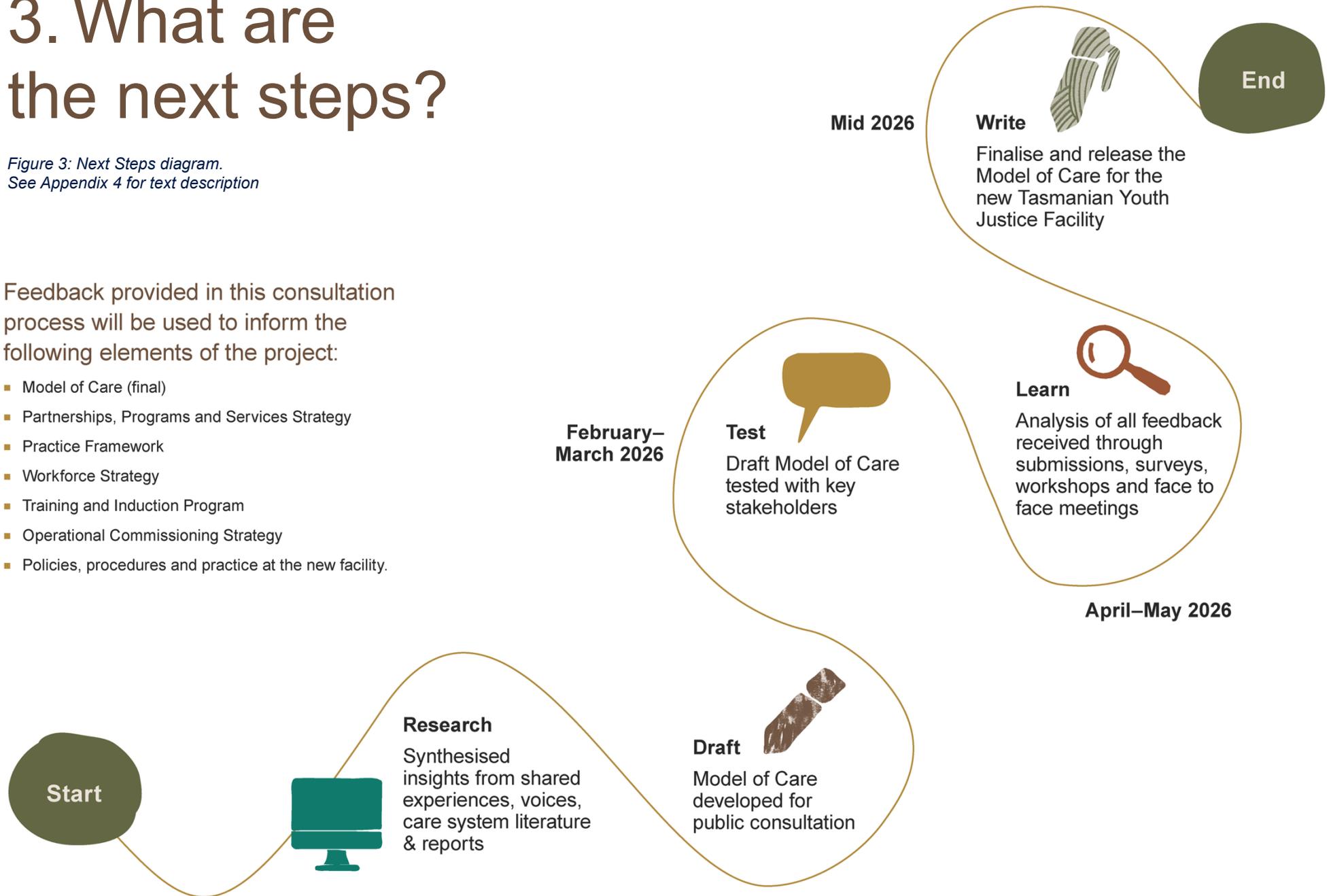
- People and Workforce
- Governance
- Monitoring, reporting and evaluation
- Partnerships and programs
- Technology
- Infrastructure

# 3. What are the next steps?

Figure 3: Next Steps diagram.  
See Appendix 4 for text description

Feedback provided in this consultation process will be used to inform the following elements of the project:

- Model of Care (final)
- Partnerships, Programs and Services Strategy
- Practice Framework
- Workforce Strategy
- Training and Induction Program
- Operational Commissioning Strategy
- Policies, procedures and practice at the new facility.



# 4. Introduction

## **What is the Model of Care for the new Tasmanian Youth Justice Facility**

The new Tasmanian Youth Justice Facility (the facility) Model of Care (MoC) describes the way youth justice services will be delivered for children and young people in detention from first point of contact with the facility through to exit from the facility.

The vision for the new facility is: “To enable an environment where children and young people experience the highest standards of child-centred rights-based therapeutic care and education, services and opportunities, supporting them to enhance connections, and return and remain successfully in the community.”

The MoC prioritises seven practice standards:

- Child-centred and rights-based
- Enduring connections
- Culturally safe and connected
- Safety and wellbeing of children and young people
- Therapeutic and trauma-transformative
- Staff support and wellbeing
- Continuity and throughcare.

The purpose of the facility is to provide:

- A safe, secure and rehabilitative facility for children and young people where healing and wellbeing is the primary focus.
- An environment where children and young people are supported to understand and address the causes of their offending behaviour to prevent reoffending and enable their successful return to the community.
- An environment where children, young people, staff and visitors feel safe and supported.
- The community with confidence that children and young people in detention are in a safe, purpose-built facility that provides a high standard of care and rehabilitation support.

The MoC aims to promote community safety, rehabilitate and reintegrate children and young people who offend, and contribute to a reduction in youth reoffending. To do this the objective of the MoC is to provide a service that:

- Is safe, secure and rehabilitative and that protects children and young people from abuse
- Is relationship-based and trauma-informed
- Promotes connections with family, community and culture
- Provides education, vocational, employment and recreational opportunities
- Provides supports to address offending behaviour
- Minimises stigma and promotes wellbeing
- Provides the community with confidence
- Promotes networks for life through a strong throughcare approach.

These objectives will contribute to the development of explicit service standards and performance measures.

The MoC provides the foundations to inform all aspects of operations, practice and service delivery.

It will be used as a guide or pathway for the development of practice, service responsibilities, policies, operating procedures, recruitment, professional development, governance, accountability, quality assurance and continuous improvement to enable the operating philosophy to come alive in the provision of services at the new facility.

## Foundations of the Model of Care

The Government is committed to reforming the youth justice service system throughout Tasmania. This MoC is an integral part of this reform and contributes to the continuum of services within youth justice. It defines the way in which safe and secure services are delivered to children and young people (and their families) when they require detention, while supporting community safety.

It is underpinned by state, national and international legislation and obligations, and the recommendations of the Commission of Inquiry. It also incorporates recommendations from the Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability, 2023 and the Office of the Custodial Inspector Tasmania Expectations on the Treatment of Children and Young People Deprived of their Liberty, 2024.

It is underpinned by the interdependent elements of governance, accountability, ethical obligations and an operating philosophy, with a strong focus on outcomes and evidence-informed approach at its foundations. Two additional foundational elements are a Theory of Change and an Outcomes Framework. These are in development and will be developed further following this consultation period, with additional stakeholder input.

The MoC has been developed in consideration of the Tasmanian context and is informed by the Youth Justice Blueprint<sup>3</sup> and the Youth Justice Model of Care,<sup>4</sup> which guide a coordinated and consistent approach to the development and delivery of services.

The purpose and principles of the Youth Justice Model of Care inform the operating philosophy for the new facility MoC. The latter has been developed to reflect the understanding that service delivery within a custodial environment requires a distinct and specialised approach to ensure safety, address complex needs, and support meaningful, sustainable rehabilitation outcomes.

The MoC is written in acknowledgement of past shortcomings in safeguarding children and young people in Tasmanian institutions, including in youth detention, and emphasises the deep and sometimes irreparable harm inflicted on victim survivors and their families. It shows the Government's commitment to improving service delivery for the benefit of children and young people, their families and the broader community and to fostering healing, accountability, and systemic change to prevent future occurrences of such abuse.<sup>5</sup> It is being informed by the lived experiences of those detained as children and young people; Aboriginal people, communities and organisations; community voices; key stakeholders; desk top research and analysis of National and

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<sup>3</sup> Department for Education, Children and Young People Youth Justice Blueprint 2024-2034 Tasmania

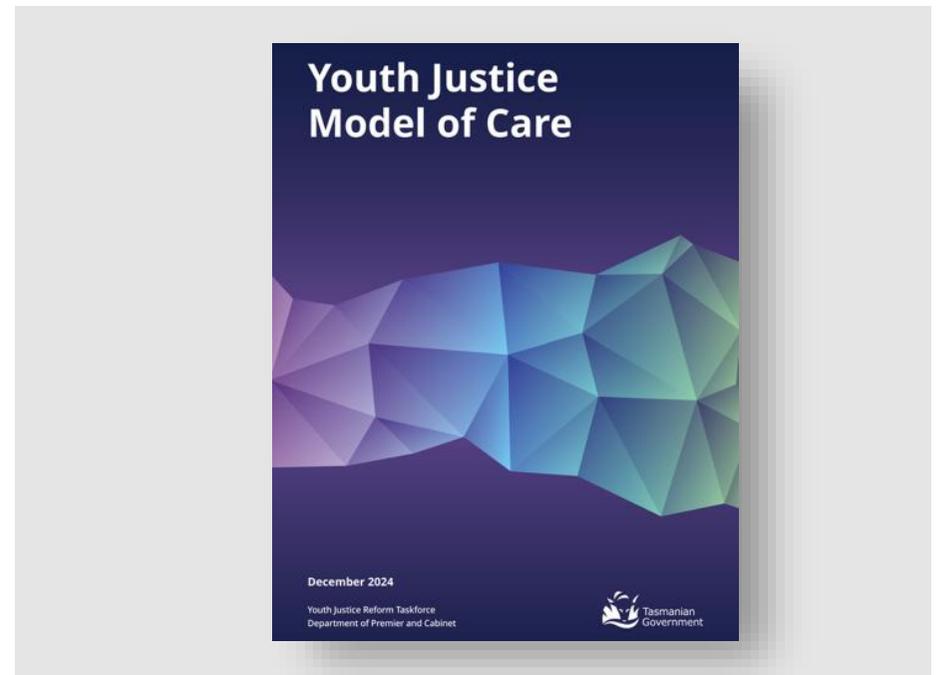
<sup>4</sup> Department of Premier and Cabinet Youth Justice Model of Care 2024 Tasmania

<sup>5</sup> The Commission of Inquiry into the Tasmanian Government's Responses to Child Sexual Abuse in Institutional Settings, 2023

International best practice evidence; and key state, national and international legislation, obligations and standards.

It incorporates the essential foundations and elements that are required for a child-centred, rights-based, culturally safe, therapeutic and rehabilitative youth detention facility. It enables the needs of children and young people to be met, while supporting them to address offending behaviour and prepare for their successful return to the community. By focusing on rehabilitation and prevention, the MoC aims to reduce reoffending and strengthen community safety.

*Figure 4: Image of Youth Justice Blueprint 2024-2034 and Youth Justice Model of Care).*



## Key foundations for the MoC

- 'Child-first, offender second'
- Child-centred and rights-based
- Physical, procedural, relational and cultural safety/security
- Understanding of the impact of crime on victims and the importance of restoration, reparation and rehabilitation
- Relational, therapeutic, trauma transformative
- Participation, empowerment, agency
- Importance of family, culture and community
- Develop a 'network for life' through enduring connections when in detention and on transition and return to the community
- Multi-disciplinary assessment and individualised care planning
- Partnerships with child, young person & family
- Education and programs – planned and purposeful; vocational and employment: focus on interests, strengths, opportunities and addressing offending
- Staff safety, wellbeing, supervision, values led, professional development, leadership
- Integrates holistic systems and ecological approach

Within this approach accountability for the wrongdoing is a focus. This includes children and young people receiving support to develop an understanding of the impact of the harm caused to victims and to engage in opportunities for reparation and restoration, while those working alongside them advocate for wider system and societal supports that reduce the likelihood of reoffending.

It is grounded in the paradigm of ‘child first, offender second’. It is widely acknowledged that when a child or young person exhibits offending behaviours, it should raise concerns about their wellbeing and signal the need for appropriate care, protection, and educational support. It is argued that children or young people known to child safety services and those involved in offending, or ‘crossover’ children and young people, should be responded to in similar wellbeing-focused ways, as for the most part, both groups have experienced similar adverse childhood experiences.

The child first, offender second principle is fundamental as we seek to support the child or young person and address their needs, regardless of their deeds, or actions. International research<sup>6</sup> reminds us that while the personal, social and economic harm the child or young person has caused by their offending should not be minimised, it is critical to be mindful that offending does not happen in a vacuum. In most cases, children or young people were victims first, often having endured adverse childhood experiences, including physical, sexual or emotional abuse, constant transience, or

intergenerational disconnection from their family, land and culture. Additionally, many of the children or young people who offend are living with a disability, or mental health needs and are known to many agencies that have interacted with them in the past.

The child first, offender second approach, views the child or young person first and foremost as a child, with unmet unique wellbeing needs that are required to be identified and met, by a service response that understands the drivers of offending behaviour and the promotion of protective factors that reduce the risk of reoffending. It recognises that rehabilitation is the primary purpose of sentencing a child or young person, therefore incapacitation (community safety) is a secondary sentencing purpose.<sup>7</sup>

This MoC is informed by the international children’s rights standards that recognise the rights to which children deprived of liberty are entitled and the duty on state parties to respect, protect and fulfil those rights<sup>8,9</sup> This approach prioritises child-centred care for all children, while assuring every child the rights to protection from harm, participation in decision-making, provision of their basic needs, healthy development and preparedness for leaving detention.<sup>10</sup> A wellbeing-oriented approach to children and young people’s needs and behaviours is adopted, while providing an environment and programs that support children and young people to address their offending behaviour. This approach is believed to be

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<sup>6</sup> Reil et al., 2022

<sup>7</sup> Commission of Inquiry Recommendation 12.15(a)i)

<sup>8</sup> UNCROC, 1989

<sup>9</sup> Havana Rules, 1990

<sup>10</sup> Kilkelly & Bergin, 2023

more effective at addressing social and criminogenic needs and therefore at reducing reoffending rates.<sup>11</sup>

Figure 5: Convention on the Rights of the Child



The centrality of family, culture, community and enduring connections is viewed as essential; therefore, the families and those important to the child or young person are supported to engage throughout the journey, in detention and on leaving. Engagement through regular contact, including visiting and care planning, will be positively encouraged and resourced. Opportunities for reconnection and restoration will be explored and facilitated for those children and young people who may have become disconnected from family, people, culture and community. The MoC recognises that every child or young person has the fundamental right to grow up in a culturally meaningful environment, which plays a vital role in promoting positive outcomes, including health, wellbeing and a strong sense of belonging.

A holistic systems and ecological approach will be adopted so that a closed, isolated facility and system are avoided and the rights-based approach is holistic, integrated and system-wide. It recognises that children or young people exist in the context of their family, culture, community and environment and requires that children and young people remain connected with people, family, places and community and that the wider family and carers receive support to access services that enhance their wellbeing.

During their time in detention, children and young people will be connected with appropriate health, education, vocational and other services in the community as required, to support the development of a sustainable network, that is, a 'network

<sup>11</sup> Koehler et al., 2013; McLean, 2016; Souverin et al., 2013

for life'.<sup>12</sup> This provides continuity of care that increases wellbeing and life chances, and decreases the likelihood of reoffending for those transitioning back to community, therefore promoting community safety.

Rights-based detention cannot be achieved without numerous supporting and inter-related actions and an organisational framework. This includes but is not limited to:

- Embedding children's rights in law and policy
- Ensuring staff are supported to provide rights-based care
- Providing trauma-informed leadership
- Operating monitoring and inspection systems in a rights-compliant manner to deliver accountability
- Conducting communications and engagement with the wider community, including national human rights bodies, parliament and the media.

This MoC is based on legislative and international obligations and core principles. The operating philosophy provides the purpose for detention, the vision, and the foundational practice standards to inform all aspects of operations. Evidence-informed practice, standards, related policies and operating procedures supported by the organisational framework will enable the operating philosophy to come alive and to support the best outcomes and the provision of services to children and young people from the first point of contact through to their exit from detention and beyond.

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<sup>12</sup> Gilligan, 2025

# 5. Children and young people at risk of entering the youth justice system

Children and young people in, or at risk of entering, the youth justice system in Tasmania have a range of diverse and intersecting needs. Many have experienced trauma and adverse childhood experiences, including abuse and neglect and a significant number have been involved with the Child Safety Service.

There is also an over-representation of children and young people experiencing mental and physical health conditions, cognitive disability and problematic substance use. On 30 June 2024, approximately 21% of children and young people in care in Tasmania had their status recorded as 'stated disability'.

Aboriginal children and young people are also significantly over-represented in the Tasmanian youth justice system, being nearly five times more likely to be under supervision.<sup>13</sup> LGBTIQ(A)(SB)+ children and young people are over-represented within the youth justice system and often experience poorer levels of mental health and higher instances of substance use.

During 2023-24, 1,464 children and young people aged between 15 and 24 presented alone to shelter accommodation in Tasmania. As at 30 June 2024, 940 children were in care in Tasmania. This is the third highest rate of children in care across Australia and is higher than the national rate. Over one-third of these were Aboriginal and/or Torres Strait Islander children.<sup>14</sup>

Geographical social exclusion arises from economic and social change, impacting the daily lives of children and young people and parents as they struggle to close the gap between the essential requirements for a safe and nurturing environment and the financial, social and emotional resources available to them.

This evidence demonstrates that the MoC must provide therapeutic support tailored to address individual needs, with a strong focus on addressing the underlying causes of offending behaviour.

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<sup>13</sup> Australian Institute of Health and Welfare, Youth Justice in Australia 2023-24, Table 17A.7 and 17A.8

<sup>14</sup> Australian Institute of Health and Welfare, Child Protection Australia Insights 2023-24, Table S5.10

## **Children and young people in detention**

This section provides a snapshot of the population of children and young people in detention in the year 2023 to 2024, which is presented in the figure below.

The MoC is designed to meet the diverse and intersecting needs of those in detention, that is, different ages, male children and young people on remand, who make up most of the population (71%), while also meeting the needs of children and young people who are Aboriginal (32%), female children and young people (29%) and those serving custodial sentences.

All children and young people regardless of their status of being on remand or sentenced will be afforded the same individualised and rights-based levels of care. Continuity of community-based supports and services will be a focus of care planning.

The information that we know about the children and young people at risk of and entering detention informs the care response that is required. This informs the MoC and its focus on meeting individualised and diverse needs and throughcare.

## Key Figures

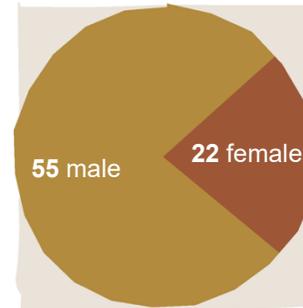
During 2023-24, there was an average of approximately **16 children and young people detained** at a time.

There were **77 distinct children and young people in detention** during the year, and **22** of these young people were in **sentenced detention**.



**5 children aged 10-13** were on remand during this period.

All of those who were **sentenced** fell back into the **14-17 years of age bracket**, with no children aged between 10-13.



**32%** of the children and young people detained during 2023-24 **identified as indigenous**.

**29%** of the children and young people detained during 2023-24 were female.



The median **length of periods of detention** completed during 2023-24 was **20 days**

For completed periods of **sentenced detention**, this increased to **34 days**



Of the young people who were **released from sentenced supervision** during 2021-22

**...50%** returned within **12 months**.

Figure 6 – Snapshot of the population of children and young people in detention as of 2023-2024

### Important notes

Data regarding gender diversity has not been reliably recorded during this time.

In Australia, the number of young females in detention on an average night is 10% (June Quarter 2024). Source: AIHW 2024. Youth detention population in Australia 2024

# 6. Legislation and obligations

The MoC complies and aligns with Tasmanian and Australian legislation, international human rights standards, and government commitments. These are detailed at Appendix 1.

The Youth Justice Act is the key piece of legislation regulating youth justice detention in Tasmania. The Youth Justice Act is currently under review. The review will embed a public health, rights-based, developmentally appropriate, trauma-informed and integrated approach to youth justice legislation. There will be extensive opportunity for stakeholder engagement so everyone can have their voice heard and considered as part of the review. Consultation will begin in early 2026.

The MoC aligns with international human rights obligations under the United Nations (UN) Convention on the Rights of the Child, the Optional Protocol to the Convention against Torture (OPCAT), the UN Rules for the Protection of Juveniles Deprived of their Liberty, the UN Declaration on the Rights of Indigenous Peoples, the UN Convention on the Rights of People with Disabilities, and with national and state standards promoting safe, therapeutic environments.

The Tasmanian Government's commitments, including the Youth Justice Blueprint, Commission of Inquiry recommendations, Disability Royal Commission reforms, and Closing the Gap targets, reinforce a rights-based, trauma-informed approach to youth justice and aim to reduce over-representation of Aboriginal young people in detention.

# 7. The practice standards

The MoC is underpinned by the nine principles of the Youth Justice Model of Care. These are operationalised in the facility through the design and delivery of the facility service, through the way the staff provide care, and how the children, young people and families can expect to experience the service through a focus on the following Practice Standards. Each practice standard has quality indicators that provide the detailed clarity that is required to deliver the standard.

## **Practice Standards**

- Child-centred and rights-based
- Enduring connections
- Culturally safe and connected
- Safety and wellbeing of children and young people
- Therapeutic and trauma transformative
- Staff support and wellbeing
- Continuity and throughcare

#	Practice standards	Service and staff commitments to children and young people	What this means for a child or young person
1	<b>Child-centred and rights-based</b>	<ul style="list-style-type: none"> <li>▪ We meet the needs and uphold the rights of all children and young people.</li> <li>▪ We do not define the child or young person by their offending behaviour.</li> </ul>	<ul style="list-style-type: none"> <li>▪ I understand my rights, have a say in decisions that affect me, and have my needs met.</li> <li>▪ Staff and others see me as more than my offending behaviour.</li> <li>▪ My rights matter and I can expect that adults uphold them. I can expect to be included and supported to participate, and my views are taken seriously.</li> </ul>
2	<b>Enduring connections</b>	<ul style="list-style-type: none"> <li>▪ We support the child or young person to stay connected with people who matter to them.</li> <li>▪ We form and build partnerships that help the child or young person.</li> </ul>	<ul style="list-style-type: none"> <li>▪ I can keep and grow connections with people who matter to me.</li> <li>▪ I am connected with people who help me and have got my back.</li> </ul>
3	<b>Culturally safe and connected</b>	<ul style="list-style-type: none"> <li>▪ We support children and young people to be themselves and to connect with their culture(s) and community.</li> </ul>	<ul style="list-style-type: none"> <li>▪ I feel respected and valued to identify with who I am.</li> <li>▪ I have choices in how I connect with my people, stories and places.</li> </ul>

#	Practice standards	Service and staff commitments to children and young people	What this means for a child or young person
4	<b>Safety and wellbeing of children and young people</b>	<ul style="list-style-type: none"> <li>▪ We commit to safety through consistency and fairness in our care and responses to children and young people.</li> <li>▪ We provide routines and expectations that support children and young people to feel safe and be well.</li> </ul>	<ul style="list-style-type: none"> <li>▪ I am safe and well and I feel safe and well.</li> <li>▪ I can rely on consistent and fair responses from adults.</li> <li>▪ I know and understand the routines, rhythms and rituals of my environment.</li> <li>▪ I trust that my needs and wellbeing are top priorities.</li> </ul>
5	<b>Therapeutic and trauma-transformative</b>	<ul style="list-style-type: none"> <li>▪ We are committed to providing care that is supportive and healing so that children and young people recover, develop and sustain growth.</li> <li>▪ We understand the impacts of trauma and are committed to responding to children and young people in predictable, consistent and safe ways.</li> </ul>	<ul style="list-style-type: none"> <li>▪ I feel supported to heal and to make lasting changes. The adults know and understand me.</li> <li>▪ I have a say in my care planning. It is led by me and is about me, my wishes, views and needs.</li> <li>▪ I have safe and good relationships with family, friends and adults caring for me.</li> <li>▪ I am supported to better understand myself and to develop positive social skills.</li> </ul>

#	Practice standards	Service and staff commitments to children and young people	What this means for a child or young person
			<ul style="list-style-type: none"> <li>▪ I feel understood and know that the adults will keep me safe, even when my behaviour is difficult.</li> <li>▪ I am being supported in a way that helps me stay out of trouble with the law.</li> </ul>
6	<b>Staff support and wellbeing</b>	<ul style="list-style-type: none"> <li>▪ We commit to supporting our workers and keeping them safe.</li> <li>▪ We provide our workers with the skills, knowledge and environment they need to maintain their wellbeing and keep them safe.</li> </ul>	<ul style="list-style-type: none"> <li>▪ I experience positive relationships with the people who care for me. They are kind, understanding and calm, and I can trust them. They know how to keep me safe.</li> <li>▪ I can see that the people caring for me, care about me, notice my strengths and support me to be the best I can be. The adults caring for me hang out and hang in with me and are fair, calm and fun with children and young people.</li> </ul>
7	<b>Continuity and throughcare</b>	<ul style="list-style-type: none"> <li>▪ We provide children and young people with continuity of relationships and services throughout their journey, including on return to their family and community.</li> </ul>	<ul style="list-style-type: none"> <li>▪ I know that people make sure I have important relationships and supports that will continue to meet my needs. I am connected and reconnected with people and the help I need, including when I return to my family and community.</li> </ul>

# Practice standard 1: Child-centred and rights-based

## The service and staff commitment

We meet the needs and uphold the rights of all children and young people.

We do not define the child or young person by their offending behaviour.

## What this means for a child or young person

*I understand my rights, have a say in decisions that affect me, and have my needs met.*

*My rights matter and I can expect that adults uphold them. I can expect to be included and supported to participate, and my views are taken seriously.*

## What is it and why is it important?

In keeping with international law and obligations, a child-rights approach prioritises child-centred care for all children and young people, while ensuring protection from harm, participation in decision-making, provision of their basic needs, healthy development and to be prepared for when they leave detention.

Child-centred, rights-based care recognises the vital importance of connection with family, people important to the child, culture and community. It also places vital importance on the role of participation and collaboration.<sup>15</sup> This approach contributes to a safer detention environment. It also contributes to enhanced community safety through changing behaviour, improving life outcomes and reducing the prevalence of reoffending.

In youth justice, being child-centred is a holistic and restorative approach that places the child or young person, their needs, strengths, interests, wishes and uniqueness at the centre of care and planning. Assessment and care

<sup>15</sup> Winkworth, 2006; KilKelly & Bergin, 2022.

planning are informed by child rights in the five thematic areas of provision, protection, participation, preparation and partnership. These five Ps are interconnected and indivisible from each other in this child-centred approach.

A child-centred, rights-based approach in detention is focused on helping young people grow, heal, and make better choices. During adolescence, a young person's brain is still developing, which can lead to risk-taking behaviours. Restorative justice and practice help fix the harm caused by a young person's actions, focusing on healing and rebuilding relationships instead of punishing the child or young person. It is about restoring balance with the people affected by the behaviour, such as the victim and the community, through open conversations and restorative processes. This aims to support a child or young person to understand the impact of their behaviour and help them take responsibility, while also making sure they feel heard and supported.<sup>16</sup>

Child-centred, rights-based care recognises that children and young people need a response that is age and developmentally appropriate and recognises disabilities, diversity and intersectionality. While identifying holistic needs, this approach also empowers the child or young person to work alongside staff to identify the drivers of their offending behaviour and to identify their individual strengths that can be grown as protective factors to support their rehabilitation and reintegration. It also supports the identification of environmental protective factors that support wellbeing and reintegration.

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<sup>16</sup> Lodi et al., 2021; Kimbrell et al., 2023

Specific practice, policies and procedures regarding restrictive practices (including use of force/restraint, isolation and searches) will be developed in line with a child-centred, rights-based and harm-minimisation approach.

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### **Restorative practices to support restoration, reparation and rehabilitation include:**

- Respecting rights: The child or young person has the right to be treated fairly, with compassion, and be part of the process.
  - Healing, over punishment: The goal is to help the child or young person to grow and learn from their mistakes, not to shame or hurt them.
  - Safe and supportive environments: Children and young people are supported by trained staff and facilitators who ensure the process is respectful, safe, and helps children and young people to heal.
  - Approaches like mediation, family and community conferences and peace-making circles that allow children and young people to talk through what has happened, understand the impacts and consequences of their behaviour and plan how to make things right. These practices help children and young people take responsibility in a way that supports their growth and gives them the chance to rebuild trust with others.
  - Support for children and young people to make better choices and prepare for life outside detention.
  - Opportunities to heal, restore and reconnect in relationships where past trauma and hurt occurred.
  - Age and developmentally appropriate responses that recognise disabilities and diversity.
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## What children and young people will experience

Children and young people can expect the organisation and staff to ensure they are safe and have access to quality education, healthcare, recreation and other services when in detention. They are cared for by adults who they can trust to do the right thing. They have opportunities, systems and the support to express their views on and influence matters affecting them. This includes access to trusted adults and child or young person-friendly participation, feedback and complaints systems. Based on an assessment of their unique strengths and needs, each child or young person has a holistic individualised care plan developed with them and their family, which is reviewed regularly. They have access to programs and activities to enhance their interests and to address offending needs.

The unique needs of girls and young women who are in detention are recognised with a commitment to responding to these in a trauma-transformative, therapeutic way. Staff identity and levels of staffing will always facilitate the maintenance of safety. The physical layout of the building allows for the ability to separate different groups based on the identity and needs of the child or young person. The facility provides for individual en-suite facilities and the 'ownership' of individual spaces for all, alongside all communal facilities being gender neutral. Staffing will enable the safe movement

of children and young people throughout the facility, including the separation from individuals or groups, as necessary. All children and young people will be listened to in relation to their sense of felt and actual safety, and staff will respond appropriately.

Where numbers allow, girls and young women will have access to gender and non-gender specific programs, education and recreational activities, that is, they will experience choice and voice<sup>17</sup> to engage.

The MoC also highlights the vital importance of trust and transparency. It includes an orientation process for newly admitted children and young people that allows for a screening/assessment period, a child and young person-friendly rights-based charter incorporating expectations of staff and residents and routines, and a needs-led transition period into a house.

Peer support and mentoring can help trauma survivors, especially those in detention facilities, to connect with each other, find positive aspects of an otherwise traumatising experience, and feel understood. Opportunities for optional peer support and mentoring will be explored for each girl and

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<sup>17</sup> McKenna & Anderson, 2025

young woman as these groups can build and strengthen the relationships between girls in facilities.

Without stereotyping, the identification, development and delivery of gender-specific programs for girls and young women will provide them with the connection and developmentally appropriate experiences to address needs and avoid re-traumatisation. Individual intersectional identification will be recognised so that specific responses and services are provided. Children and young people who identify as LGBTIQ(A)(SB)+ will be provided with a safe and supportive environment to explore and express their identity.

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## What girls, young women and those who identify as LGBTIQ(A)(SB)+ will experience

Children and young people will be cared for by people who are from their culture, and by those who understand and actively mitigate the power that they hold as adults, and the impact of racism, ableism, misogyny, sexual hierarchy and other majority privilege on children, young people and groups. Children and young people will experience care that is respectful and celebrates their diversity.

The facility MoC highlights the importance of recognising the unique needs of girls, young women and those who identify as LGBTIQ(A)(SB)+ and who are in detention, and a commitment to responding to these in a trauma-transformative, therapeutic way.

Staff identity and levels of staffing will always facilitate the maintenance of safety. The physical layout of the building allows for the ability to separate different groups based on the identity and needs of the child or young person. The facility provides for individual ensuite facilities and the 'ownership' of individual spaces for all, alongside all communal facilities being gender neutral. Staffing will enable the safe movement of children and young people throughout the facility, including the separation from individuals or groups, as necessary. All children and young people will be listened to in relation to their sense of self and actual safety, and staff will respond appropriately.

Girls, young women and LGBTIQ(A)(SB)+ children and young people will have access to gender and non-gender specific programs, education and recreational activities, that is, they will experience choice and voice to engage.

The MoC highlights the vital importance of trust and transparency, which includes an orientation process for newly arrived children and young people that allows for a screening/assessment period, a child and young person friendly rights-based charter incorporating expectations of staff and residents and routines, and a needs-led transition period into a house.

Peer support and mentoring can help trauma survivors, especially those in detention facilities connect with each other, find positive aspects of an otherwise traumatising experience, and feel understood. Opportunities for optional peer support and

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mentoring will be explored for each girl, young woman and LGBTIQ(A)(SB)+ child and young person as these groups can build and strengthen the relationships between individuals in facilities.

The identification, development and delivery of gender and diversity-specific programs will provide the connection and developmentally appropriate experiences to address needs and avoid re-traumatisation. Individual intersectional identification will be recognised so that specific responses and services are provided.

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## What child-centred and rights-based looks like in practice

These standards guide staff and organisational practice to ensure care in youth justice detention is grounded in child rights and centred on the individual needs, strengths, and voices of children and young people. Children and young people in conflict with the law are viewed as child first, offender second, that is, they are seen as individuals with

strengths and needs, not just offenders. It is recognised offending behaviour often stems from trauma and unmet needs, and support is prioritised over punishment. This, in turn, leads to improved chances for rehabilitation, which improves safety and outcomes for the wider community.

The indicators below provide the detailed clarity required to deliver the standard:

<b>1.1 Upholding child rights</b>	<ul style="list-style-type: none"><li>▪ Staff actively uphold the rights of children and young people in accordance with international law, Tasmanian Child and Youth Safe Standards and child protection frameworks.</li></ul>	<ul style="list-style-type: none"><li>▪ Children and young people are treated with dignity, fairness and compassion always.</li><li>▪ All decisions and actions reflect the five child rights themes: provision, protection, participation, preparation and partnership.</li></ul>	<ul style="list-style-type: none"><li>▪ Children and young people have rights to safety, participation and a developmental approach.</li><li>▪ Rights are embedded in practice, policy, operating procedures and guidance.</li></ul>
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<p><b>1.2 Holistic and individualised care</b></p>	<ul style="list-style-type: none"> <li>▪ Each child or young person has a holistic, individualised care plan developed in collaboration with them, their family, and relevant cultural and community supports.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Care plans reflect the child or young person’s age, developmental stage, cultural identity, religious beliefs, family values, and personal goals.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Plans are reviewed regularly and adapted as the child or young person grows and circumstances change.</li> </ul>
<p><b>1.3 Participation and voice</b></p>	<ul style="list-style-type: none"> <li>▪ Children and young people are supported to actively participate in decisions affecting their lives.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Accessible, child-friendly and child-led systems for feedback, complaints and advocacy are in place.</li> <li>▪ Staff ensure children and young people feel heard, valued and respected, and that their views influence their care and care planning.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Children and young people are viewed as experts in their own lives and are empowered to have agency.</li> </ul>
<p><b>1.4 Safe and supportive environments</b></p>	<ul style="list-style-type: none"> <li>▪ The detention environment is physically and emotionally safe, trauma-transformative, and developmentally appropriate.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Staff are trained in child development, trauma-transformative care and restorative practices.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Children and young people are cared for by trusted adults and considered relationships that promote healing and trust with self, family and community.</li> </ul>
<p><b>1.5 Restorative practice and healing</b></p>	<ul style="list-style-type: none"> <li>▪ Staff use restorative approaches such as mediation, family conferencing and peace-making circles to address harm and support healing.</li> </ul>	<ul style="list-style-type: none"> <li>▪ The focus is on growth, accountability and relationship repair, not punishment.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Children and young people are supported to understand the impact of their actions and make amends in a safe, respectful process.</li> </ul>

<b>1.6 Equity and inclusion</b>	<ul style="list-style-type: none"> <li>▪ Care is inclusive and responsive to diverse identities, including cultural background, language, disability, gender identity and sexual orientation.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Staff recognise and address intersectional needs and systemic barriers to wellbeing and reintegration.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Children, young people and their families are empowered to identify their strengths and protective factors that support rehabilitation.</li> </ul>
<b>1.7 Development and reintegration</b>	<ul style="list-style-type: none"> <li>▪ All care supports healthy development, education, life skills, connections and preparation for reintegration into the community.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Children and young people have access to quality education, health care, recreation and other essential services.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Reintegration planning begins early and includes family, community and cultural supports.</li> </ul>
<b>1.8 Relationship and connection</b>	<ul style="list-style-type: none"> <li>▪ Staff actively support and facilitate ongoing connection with family, culture and community.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Children and young people are given opportunities to heal and restore relationships where trauma has occurred.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Relationship is key. Relationships are built on trust, respect, and consistency.</li> </ul>

# Practice standard 2: Enduring connections

## The service and staff commitment

We support the young person to stay connected with people who matter to them and to build and maintain positive, enduring relationships.

We form and build partnerships that help the young person.

## What this means for a child or young person

*I can keep and grow connections with people who matter to me.*

*I am connected with people who help me and have got my back.*

## What is it and why is it important?

Strong, positive and enduring connections for children and young people with their family, community and culture are essential to help them to develop trust, stability and their sense of identity and belonging. It is these enduring connections that grow wellbeing and safety and help promote rehabilitation, reduce further offending behaviour, contribute to better long-term outcomes, enhance life chances and increase the opportunities to make positive life choices.

The social capital of most children and young people in conflict with the law is likely absent. Therefore, it is essential that various types of support from a variety of actors, experiences and resources is enhanced in their networks, as 'networks for life' are likely to have a key influence on enhancing positive experiences and life outcomes.<sup>18</sup>

Positive connections between children and young people in detention and their families and friends and broader supports in the community will be encouraged and facilitated as this has a range of benefits for everyone.<sup>19</sup>

<sup>18</sup> Magalhães & Calheiros, 2017; Alarcón & Mirković, 2023; Gilligan, 2025

<sup>19</sup> Folk et al., 2019

Visits are viewed as vitally important to connection, as these can assist with the integration into detention as well as reintegration when released back to the community.<sup>20</sup> The experiences felt through face-to-face contact can strengthen relationships which then increase motivation for rehabilitation and reintegration. The benefits of supportive family and social networks in reducing recidivism have been documented.<sup>21</sup> Maintaining strong contact with family may also increase the chances of the provision or material needs upon release (such as housing, food) which in turn reduces recidivism.<sup>22</sup>

Should children and young people have supports in the community (for example, their psychologist) visits outside the facility will be facilitated where possible. This is to encourage continued connection with trusted supports and for the benefit of continuity and throughcare upon leaving the facility.

Where virtual meetings or external parties coming into the facility may be more practical, such as when there are logistical constraints (for example, travel difficulties) or where safety concerns cannot be mitigated, these will be facilitated where possible.

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<sup>20</sup> Casey-Acevedo & Bakken, 2002

<sup>21</sup> Owen et al., 2019

## **What children and young people will experience**

Children and young people will experience being at the heart of all that we do. They will experience a sense of care and connection that helps them to trust that the adults want what is best for them. They will know that people understand how important family and culture is to them, and that their families are and feel empowered to identify and engage with solutions and services.

Children and young people will be supported to build positive connections with people, places and services that will support them on their journey of healing and wellbeing. Their unique strengths and interests will be identified and celebrated and opportunities for engagement in community, culture and leisure activities will be grown. They will experience relationships with people who are their greatest champions and who strive for and guide them to reach their goals, grow positive life experiences and enhance life chances.

Children and young people will experience family, friends and visitors being welcomed and included and they will be supported to develop, maintain, and where necessary, restore and repair relationships with those important to them. They will be supported to experience this in the community and to continue this as they return to community. Parents, family and

<sup>22</sup> Social Exclusion Unit, 2002

carers will be resourced to visit for overnight stays close to the facility.

## What enduring connections looks like in practice

These standards ensure that children and young people in detention are supported to maintain, strengthen and restore meaningful relationships with family, culture, community and trusted supports.

The indicators below provide the detailed clarity required to deliver the standard:

<b>2.1 Prioritising connection</b>	<ul style="list-style-type: none"><li>▪ The importance of enduring connections to family, culture and community as central to a child or young person’s wellbeing, identity and rehabilitation is recognised and upheld.</li></ul>	<ul style="list-style-type: none"><li>▪ It is ensured that connection is a core consideration in all care planning, decision-making and daily practice.</li></ul>
<b>2.2 Facilitating contact and visits</b>	<ul style="list-style-type: none"><li>▪ Staff and procedures actively support and facilitate regular, meaningful contact with family, friends, cultural and community supports.</li></ul>	<ul style="list-style-type: none"><li>▪ Staff and procedures prioritise face-to-face visits where possible, recognising their role in healing, integration and motivation for rehabilitation.</li><li>▪ Resources and support are provided for families to visit, including overnight accommodation where appropriate.</li></ul>

<p><b>2.3</b> <b>Supporting external relationships</b></p>	<ul style="list-style-type: none"> <li>▪ Children and young people are enabled to maintain relationships with external professionals (e.g. psychologists, mentors) through visits and virtual or community-based meetings.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Continuity of care and support is ensured by maintaining these relationships during detention and after leaving detention.</li> </ul>
<p><b>2.4</b> <b>Inclusive and welcoming environment</b></p>	<ul style="list-style-type: none"> <li>▪ The physical and ‘felt’ environment is welcoming for family, friends and visitors, ensuring they feel respected and included.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Culturally safe spaces and practices honour the child or young person’s unique identity and relationships.</li> </ul>
<p><b>2.5</b> <b>Restoring and repairing relationships</b></p>	<ul style="list-style-type: none"> <li>▪ Children and young people are supported to repair and rebuild relationships where harm or trauma has occurred.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Restorative approaches are used to facilitate healing and rebuild positive connections with family and community.</li> </ul>
<p><b>2.6</b> <b>Strengths-based engagement</b></p>	<ul style="list-style-type: none"> <li>▪ Staff identify and celebrate each child and young person’s unique strengths, interests and connections.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Staff and procedures provide opportunities for engagement in community, cultural and leisure activities that reinforce identity and belonging.</li> </ul>

<p><b>2.7 Transition and reintegration support</b></p>	<ul style="list-style-type: none"> <li>▪ Connections are maintained and strengthened as part of reintegration planning.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Children and young people are supported to connect and reconnect with their communities and access services that promote stability and wellbeing after leaving detention.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Staff and transition plans prioritise building the child or young person’s social capital, through identifying and enhancing ‘networks for life’.</li> </ul>
<p><b>2.8 Empowering families and carers</b></p>	<ul style="list-style-type: none"> <li>▪ Families, carers and kin are engaged as partners in care and planning.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Information, resources and support are provided to help families stay connected and involved in the child or young person’s journey.</li> </ul>	

# Practice standard 3: Culturally safe and connected

## The service and staff commitment

We support children and young people to be themselves and to connect them with their culture(s) and community.

## What this means for a child or young person

*I am safe and well and I feel safe and well.*

*I know and understand the routines, rhythms, and rituals of my environment.*

*I can rely on consistent and fair responses from adults.*

*I trust that my needs and wellbeing are top priorities.*

## What is it and why is it important?

This MoC emphasises the importance of cultural safety. For those from culturally and linguistically diverse communities, a focus on cultural assessments and partnerships with cultural resources and organisations appropriate to the child or young person's identity will be developed.

The need for increased measures to ensure cultural safety for Aboriginal children and young people in youth justice facilities was highlighted through the Commission of Inquiry. Aboriginal children and young people in Tasmania have a right to grow up in a safe and nurturing environment with connections to community, culture and identity.<sup>23</sup> Providing cultural safety in Lutruwita can be understood as an environment or relationship where Aboriginal children and young people feel safe to be themselves, where their Aboriginality is respected, and their sense of self and identity is nurtured and encouraged.

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<sup>23</sup> Department of Justice Tasmania Aboriginal Cultural Safety [Aboriginal-Cultural-Safety-Short-Guide.pdf](#)

Cultural safety begins with an appreciation of the historical context of colonisation, of racism at individual and institutional levels, and the impact of this on Aboriginal people's lives and wellbeing, both in the past and present. Cultural safety is felt in environments that celebrate and understand Aboriginal culture and promote the strength of the community, and where there is a commitment to addressing system and structural inequalities. A culturally responsive and safe approach is essential to meet the diverse needs of children and young people in the youth justice system.

An organisation and environment that is culturally safe will be a place that gives Aboriginal children and young people a positive message about being Aboriginal, and about the Aboriginal community to which they belong. Aboriginal children and young people are over-represented in youth detention in Tasmania and Australia. It is essential for detention environments to be culturally safe to prevent further loss of cultural connection and to support rehabilitation.

This MoC prioritises aligning services with the cultural values and identities of Aboriginal communities. This includes supporting connections to family, community, culture and Country. Cultural elements such as wellbeing, identity, language, family, spirituality and ancestry are integrated into care practices. The organisation is committed to the recruitment and retention of Aboriginal staff and to providing ongoing staff training and professional development that addresses the effects of colonisation, intergenerational and historical trauma and discrimination, which continue to create

barriers for Aboriginal children, young people and their families in accessing services.

The physical environment and relational care contribute to providing a culturally safe empowering environment that seeks to reduce stress, increase connection, belonging and resilience, and serves as a protective factor to reduce reoffending. A cultural plan will be co-developed as part of the integrated care planning process.

### Key aspects of a culturally safe approach include:

- **Cultural identity and growth:** Children and young people are supported in building a strong, positive sense of self, with their values and beliefs respected, fostering personal and cultural development as a protective factor to increase wellbeing and reduce risks of reoffending.
- **Cultural engagement:** Opportunities for children and young people to engage with their culture are provided, including participation in programs and connecting with cultural communities and activities, delivered through collaboration with community members and staff.
- **Safe spaces for connection:** Designated spaces are provided where children and young people can engage in yarning and discuss sensitive topics, facilitated by community members and cultural mentors.
- **Culturally led interventions:** Aboriginal practitioners and community members lead youth justice interventions, ensuring culturally appropriate, community-led approaches that are more effective in addressing the unique needs of Aboriginal children and young people. These interventions are grounded in cultural knowledge, respect traditional practices and strengthen community connections, aiding in rehabilitation and reducing reoffending.
- **Professional support and supervision:** Staff receive training and professional and operational supervision to build the skills and knowledge needed to deliver culturally responsive care, fostering meaningful engagement with children and young people.

## **What children and young people will experience**

Children and young people will experience an environment where they see and feel that their cultural identity is respected, valued and celebrated. They will see cultural spaces where they feel safe and empowered to explore, express, and share their culture. They will have opportunities to maintain and build a strong connection to, and contact with, their culture and community to support their cultural needs and experience, when in detention and when they return to community.

They will experience education, health and other services that recognise and embrace the importance of culture and culturally safe people, programs and interventions. Education teaching and programs will be responsive to the lived and living experience of children and young people and their communities, with content and ways of engaging reflecting this.

Children and young people will be cared for by people who are from their culture, and by those who understand the power that they hold as adults and the impact of racism, ableism and other majority privilege on children, young people and minority groups. Children and young people will experience care that is respectful and celebrates their diversity. Families will be empowered and experience respect and celebration of their culture and diversity.

## What culturally safe and connected looks like in practice

These standards ensure children and young people, particularly Aboriginal children and young people, experience care that respects, celebrates and strengthens their cultural identity, connections and wellbeing. Culturally responsive approaches are used to support rehabilitation and reduce reoffending.

The indicators below provide the detailed clarity required to deliver the standard:

<b>3.1</b> <b>Cultural safety and respect</b>	<ul style="list-style-type: none"> <li>▪ The environment is created where children and young people feel safe to express and explore their cultural identity.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Opportunities for engagement in community, cultural and leisure activities that reinforce identity and belonging are created.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Visible, affirming messages and spaces promote cultural pride and belonging.</li> </ul>
<b>3.2</b> <b>Understanding historical and systemic context</b>	<ul style="list-style-type: none"> <li>▪ Staff and services acknowledge and address the impacts of colonisation, racism, intergenerational trauma and systemic inequality.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Cultural safety is embedded in organisational policies, training and supervision.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Staff understand, acknowledge and respond to the historical and contemporary experiences of Aboriginal communities.</li> </ul>
<b>3.3</b> <b>Cultural identity and growth</b>	<ul style="list-style-type: none"> <li>▪ Children and young people are supported to build a strong, positive sense of self and cultural identity.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Children and young people's values, beliefs, language, spirituality and ancestry are respected and incorporated into care and planning.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Diversity is celebrated and children and young people are empowered to be themselves.</li> </ul>

<b>3.4 Cultural engagement and connection</b>	<ul style="list-style-type: none"> <li>Children and young people have regular opportunities for engagement with their culture through programs, activities and community involvement.</li> </ul>	<ul style="list-style-type: none"> <li>Aboriginal community members, Elders and cultural mentors deliver culturally grounded experiences</li> </ul>	<ul style="list-style-type: none"> <li>Connection to Country, kin and cultural practices, both in detention and during reintegration, are actively facilitated.</li> </ul>
<b>3.5 Safe cultural spaces</b>	<ul style="list-style-type: none"> <li>Designated spaces for yarning, cultural expression and sensitive conversations are provided.</li> </ul>	<ul style="list-style-type: none"> <li>These spaces are led or supported by Aboriginal staff and/or community members.</li> </ul>	<ul style="list-style-type: none"> <li>These spaces are used to promote healing, connection and cultural learning.</li> </ul>
<b>3.6 Culturally led approaches</b>	<ul style="list-style-type: none"> <li>Aboriginal practitioners and community member-led approaches are prioritised.</li> </ul>	<ul style="list-style-type: none"> <li>Programs are grounded in cultural knowledge and traditional practices.</li> </ul>	<ul style="list-style-type: none"> <li>Culturally responsive approaches are used to support rehabilitation and reduce reoffending.</li> </ul>
<b>3.7 Workforce capability and representation</b>	<ul style="list-style-type: none"> <li>Aboriginal staff are recruited, retained and supported across all levels of the service.</li> </ul>	<ul style="list-style-type: none"> <li>Ongoing professional development focuses on cultural safety, trauma-transformative care, anti-discriminatory practice and addressing racism and power.</li> </ul>	<ul style="list-style-type: none"> <li>Development of staff will focus on power dynamics to ensure staff understand their power and privilege and its impact on children, young people and families, Aboriginal people and minority groups.</li> </ul>

<p><b>3.8 Inclusive services and education</b></p>	<ul style="list-style-type: none"> <li>▪ Education, health and other services reflect and respond to the lived and living experiences of Aboriginal children, young people and communities.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Teaching content and engagement methods are culturally relevant and inclusive.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Cultural safety across all service touchpoints is promoted.</li> </ul>
<p><b>3.9 Family and community empowerment</b></p>	<ul style="list-style-type: none"> <li>▪ Families and communities are engaged as partners in care and care planning.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Resources and support to enable family visits, including overnight stays near facilities, are provided.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Staff celebrate and respect the culture and diversity of families and carers.</li> </ul>

# Practice standard 4:

## Safety and wellbeing of children and young people

### The service and staff commitment

We commit to safety through consistency and fairness in our care and responses to young people.

We provide routines and expectations that support children and young people to feel safe and be well.

### What this means for a child or young person

*I am safe and well and I feel safe and well.*

*I know and understand the routines, rhythms, and rituals of my environment.*

*I can rely on consistent and fair responses from adults.*

*I trust that my needs and wellbeing are top priorities.*

### What is it and why is it important?

Many of the children and young people who come into detention have experienced a range of adverse childhood experiences, including experiencing hurt and trauma in relationships. Many have experienced breakdowns in relationships and living arrangements, leading to disconnection that affects their sense of safety, self, identity and ability to trust others. Children and young people who are and feel unsafe are more likely to feel anxious and dysregulated, which can result in them acting aggressively towards others, or conversely, internalising their feelings and harming themselves.

The safety and security of children, young people and staff is essential in detention; therefore, creating an environment that enables everyone to feel physically and psychologically safe is a priority. Physical security, procedural security and relational security are interdependent elements crucial to the development of a safe, secure, therapeutic and rehabilitative environment. The other key element to creating safety is positive behaviour support. Physical security and procedural safety will be achieved through robust security and screening measures that enhance the safety and security of children,

young people, staff and visitors. These measures include scanners, personal possessions and equipment available for use within the facility.

Relational practice and security ensure children's rights are upheld through safe, supportive environments that meet developmental needs, build strengths, and foster family and community connections.<sup>24</sup> Recognising children and young people's vulnerabilities, these environments are both secure and therapeutic. Relational practice is central to this MoC, embedding supportive relationships across care, education and custodial settings.<sup>25</sup> Such environments promote rehabilitation, dignity, participation and personal growth.

Staff adopt a psycho-socio-ecological view of behaviour, understanding how daily relationships shape development. Consistent, meaningful connections enhance behaviour, wellbeing and long-term outcomes. By fostering healthy relationships, staff build resilience, reduce stress and improve wellbeing.<sup>26</sup> Positive connections support communication, collaboration and a sense of value and belonging. This is achieved through both incidental and intentional relationships with attuned, available adults and the recognition of the significance of consistent, meaningful interactions, routines and rhythms in a child and young person's daily life, within the detention setting.

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<sup>24</sup> Souverein et al., 2023

<sup>25</sup> Lamph et al., 2023

Relational security relies on staff's deep understanding of each young person, maintaining safe and professional interactions, with therapeutic intent. Ongoing training, reflective supervision and mentoring are provided to ensure children experience relational, child-centred and rights-respecting care. This is enhanced by child-friendly design, integrated care plans, family involvement, education, and daily activities that encourage engagement, interaction and fun.

When children and young people feel safe and cared for, they experience a sense of wellbeing and can begin to build trust in the adults caring for them. Being able to trust that they will be treated with respect in turn leads to children and young people growing reciprocity skills towards others, including staff. This leads to a safer environment, more conducive to developing positive relationships, prosocial skills and engagement with education, programs and activities, including developing a sense of responsibility and addressing offending behaviour. This increases the greater chance of positive outcomes and rehabilitation.

The MoC prioritises least restrictive alternatives with a focus on prevention. This means ensuring that any restriction of liberty is truly a last resort and for the shortest time necessary, and that aversive and restrictive practices are not used. The MoC favours a co-regulation developmental approach that is purposeful, considered and intended to assist the child or young person towards progressively learning to self-regulate by experiencing trusting relationships with the staff, thus

<sup>26</sup> Lamph et al., 2023

working towards the elimination of physical restraint with that child or young person.<sup>27</sup> The facility will have sensory spaces throughout the houses and education building. A co-regulation space will provide private, supported, physically safe, short-term space for significantly dysregulated children and young people where staff are able to assist them to calm through a co-regulation response, which assists them to develop more skills to self-regulate. The use of this of this space will be highly monitored and regulated.

## **What children and young people will experience**

Children and young people will experience an environment that supports them to feel physically and emotionally safe. They will be cared for by adults who care for them, will be clear about the routines, and can expect that accountable standards are followed to ensure they feel safe and respected. They will be in an environment where they can trust that their needs, including care, education and safety needs, are met.

## **What safety and wellbeing of children and young people looks like in practice**

These standards ensure that children and young people experience physical and emotional safety, consistent care, and therapeutic support that promotes healing, trust and rehabilitation, so they can return to, and participate fully in, the community.

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<sup>27</sup> Bath & Seita, 2018; Blaustein & Kinniburgh, 2019

The indicators below provide the detailed clarity required to deliver the standard:

<p><b>4.1 Creating safe environments</b></p>	<ul style="list-style-type: none"> <li>Physical, procedural and relational safety are integrated and balanced to create a secure, therapeutic relational setting.</li> </ul>	<ul style="list-style-type: none"> <li>Robust security measures that protect children, staff and visitors without compromising dignity or wellbeing are maintained.</li> </ul>	<ul style="list-style-type: none"> <li>The environment is child-friendly, trauma-transformative and developmentally appropriate.</li> </ul>
<p><b>4.2 Relational safety and consistency</b></p>	<ul style="list-style-type: none"> <li>Staff build consistent, meaningful relationships with children and young people through attuned, respectful, meaningful and professional interactions.</li> </ul>	<ul style="list-style-type: none"> <li>Relational practice and therapeutic intent are promoted across all settings, including care and education, to promote trust, stability, and emotional regulation and wellbeing.</li> </ul>	<ul style="list-style-type: none"> <li>Staff and procedures provide routines and rhythms to create predictability and reduce anxiety.</li> </ul>
<p><b>4.3 Trauma-transformative and therapeutic care</b></p>	<ul style="list-style-type: none"> <li>Staff recognise the impact of adverse childhood experiences and trauma on behaviour and wellbeing.</li> </ul>	<ul style="list-style-type: none"> <li>Staff provide care that is responsive to trauma, supports healing and avoids re-traumatisation.</li> </ul>	<ul style="list-style-type: none"> <li>Staff receive ongoing training and reflective supervision to deliver trauma-transformative, rights-respecting care.</li> </ul>
<p><b>4.4 Positive behaviour support (PBS)</b></p>	<ul style="list-style-type: none"> <li>Staff use PBS to understand behaviour as a response to unmet needs or trauma, not as misconduct.</li> </ul>	<ul style="list-style-type: none"> <li>Staff believe that children, young people and families are essential in developing individual behaviour support plans that promote dignity, empowerment and safety.</li> </ul>	<ul style="list-style-type: none"> <li>Staff use proactive, relational and supportive strategies to prevent harm and reduce restrictive practices.</li> </ul>

<p><b>4.5</b> <b>Co-regulation and self-regulation</b></p>	<ul style="list-style-type: none"> <li>▪ Staff support children and young people to develop self-regulation through co-regulation with trusted adults.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Staff use restorative and reflective approaches to help children and young people understand and manage their emotions and behaviour.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Staff adopt an approach of working towards eliminating physical restraint through relationship-based, therapeutic responses.</li> </ul>
<p><b>4.6</b> <b>Least restrictive practice</b></p>	<ul style="list-style-type: none"> <li>▪ Staff ensure any restriction of liberty is a last resort, used only when necessary and for the shortest time possible.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Aversive or punitive practices are avoided; approaches that uphold rights and promote rehabilitation are prioritised.</li> </ul>	<ul style="list-style-type: none"> <li>▪ All restrictive practices are monitored and reviewed to ensure accountability and alignment with human rights standards.</li> </ul>
<p><b>4.7</b> <b>Integrated and individualised support</b></p>	<ul style="list-style-type: none"> <li>▪ Integrated care plans reflect each child and young person's unique needs, strengths and goals.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Education, health, recreation and family involvement are included in daily routines and planning.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Children and young people have access to services and activities that promote engagement, fun and personal growth.</li> </ul>
<p><b>4.8</b> <b>Promoting wellbeing and resilience</b></p>	<ul style="list-style-type: none"> <li>▪ Environments that support emotional regulation, resilience and a sense of belonging are fostered.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Staff recognise and respond to signs of distress, anxiety or dysregulation with compassion and skill.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Progress and strengths are noticed and celebrated, to build confidence and motivation for change.</li> </ul>

# Practice standard 5: Therapeutic and trauma-transformative

## The service and staff commitment

We are committed to providing care that is supportive and healing so that children and young people recover, develop and sustain growth and change. We understand the impacts of trauma and are committed to responding to children and young people in predictable, consistent and safe ways.

## What this means for a child or young person

*I feel supported to heal and to make lasting changes. The adults know and understand me.*

*I have a say in my care planning. It is led by me and is about me, my wishes, views and needs.*

*I have safe and good relationships with family, friends and adults caring for me.*

*I feel understood and know that the adults will keep me safe, even when my behaviour is difficult.*

*I am being supported to better understand myself and to develop positive social skills, along with different behaviours that help me stay out of trouble with the law.*

## What is it and why is it important?

As the Youth Justice Blueprint states, “A therapeutic approach recognises that many of the underlying drivers of offending are often directly connected to a child or young person’s unmet needs.” In addition, a therapeutic approach in youth justice settings views children and young people as in need of support and healing, rather than responses that favour punishment, coercion and control. It views the removal from family and community and loss of independence as punishment for breaking the law. It recognises that most young people who offend have complex needs arising from their background, environment, and experiences of past and recent trauma. The focus of a therapeutic approach is on supporting personal and behavioural change for children and young people so they can experience meaningful growth that is sustained over time and when they return to community.

The Tasmanian Youth Justice Model of Care, which guides all youth justice services, emphasises the importance of trauma-informed support. This approach challenges the traditional divide between ‘victim’ and ‘perpetrator’, instead viewing risk and need as natural responses to childhood adversity and trauma. Services focus on creating environments that recognise and address the impacts of trauma to support healing, while providing clear boundaries and establishing safe limits.

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<sup>28</sup> Mitchell & Tucci, 2024

<sup>29</sup> Mitchell & Tucci, 2024

<sup>30</sup> Atkinson, 2002; Cozolino, 2020

This Model of Care for detention recognises that in practice a trauma-transformative<sup>28</sup> approach prioritises safety, understanding and recovery over punishment, helping children and young people process their experiences and move towards healing and wellbeing. By recognising how trauma experiences are impacting behaviour and capacity to engage, and responding through understanding and principle-based care practice, policies and procedures, the foundations are set to support children and young people on their healing journey. This approach aims to address offending behaviour and to support a successful and sustained community reintegration.

The importance of trauma-transformative service development and delivery is recognised and informed by the knowledge and understanding that practitioners, the service and system must operate with collective therapeutic intent. At the same time, they must pay attention to the critical socio-cultural context within which interpersonal violence occurs and is perpetuated, and to other critical knowledges, therefore expanding understanding beyond the individual.<sup>29</sup> It is recognised that the healing influence of strong connections to culture, specific cultural practices and social bonding is vital.<sup>30</sup>

The living environment in residential care is described in various ways, such as the ‘other 23 hours’,<sup>31</sup> the psycho-social environment<sup>32</sup> or the ‘life space’<sup>33</sup> meaning the therapeutic

<sup>31</sup> Trieschman, 1969

<sup>32</sup> Modlin, 2018

<sup>33</sup> Smith, 2005

use of daily life. It is also called the ‘milieu’<sup>34</sup>, referring to the overall atmosphere of the setting and the feel of a ‘unit’ or house that significantly shapes the experiences of children and young people living there. Creating and sustaining a therapeutic milieu<sup>35</sup> – with both social and treatment elements – supports emotional and social development while ensuring safety. The interaction between psychological and social processes in these settings defines their therapeutic value, helping children and young people cope with pain and develop a sense of normalcy. Although detention settings are not inherently ‘normal’, normalcy can be fostered through strong connections between children, young people and care workers. Predictable routines, shared meals and consistent adult behaviours are essential in building this environment.

While individual therapy addresses specific needs, it is the direct care workers, during the ‘other 23 hours’, who play the primary therapeutic role in daily life. Each moment with a child or young person in the facility offers an opportunity to build meaningful connections and foster positive development. Drawing from principles of active support,<sup>36</sup> staff are encouraged to engage actively with children and young people, focusing not only on caring for but also on caring about and working with them.

Programs targeting criminogenic needs are important but insufficient on their own. Group-based programs often fail to provide enough opportunity for individual behavioural change.<sup>37</sup> Instead, staff will view every interaction as a

chance to build trust, guide, empower, respect and support the child or young person, as it is this therapeutic milieu that provides the foundation for children and young people to embark on their journey of healing and recovery. Individual and family therapy to address the impact of individual, historical and collective trauma will also be available for children, young people and families, with culturally appropriate clinicians where and possible.

## **What children and young people will experience**

Children, young people and their families will experience a supportive environment with relationships-based understanding and respect. They will have opportunities to understand and address the needs that contribute to concerning behaviours, including offending behaviour. They will experience adults engaging in activities alongside them. Children and young people will be empowered to engage in thorough assessment and co-created care planning. Education, programs and vocational activities will be planned and purposeful to meet their unique individual needs, with opportunities to build on strengths and to flourish. Family and those important to the child or young person will be partners in planning processes.

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<sup>34</sup> Trieschman, 1969

<sup>35</sup> Belsiyal, Rentala and Das, 2022

<sup>36</sup> Mansell et al., 2013

<sup>37</sup> Armytage & Ogloff, 2017

Children and young people will experience being empowered to participate in decision-making about the therapeutic environment in which they are living.

Children and young people will experience an environment where the adults are seeking to get to know and to understand them. They will notice that the adults recognise the signs of trauma and pain-based behaviour and are active in understanding how to respond to the individual child or young person's needs. Rather than asking the question, "What's wrong with you?" the adults will be curious about the question, "What happened to you?" and "What can I do to help?", so that they can make meaning of how trauma is impacting emotional responses. This curiosity will include questioning the sociocultural power constructs and systemic violations that impact particular groups, and anti-oppressive practice responses.

Children and young people will be invited and supported to contribute to their plans, with questions such as "What have you noticed that works when you are feeling upset/anxious/angry?", while using observations and exploring questions to identify exceptions.<sup>38</sup> They will notice that the adults want to do *with* them, not *to* them. When a child or young person is upset or angry, the adults will support them with these feelings and guide them to develop positive skills to

manage them. Their co-created individual care plan will support this. They will be guided through opportunities for reflection and restoration.

A history of adverse childhood experiences and trauma and the implementation of trauma-informed responses to mitigate the impacts of any environmental factors will be identified. This will include general pathways to support and individualised responses specified within individual care plans. Additionally, the environment, staff responses, routines and a system for ongoing feedback will provide mitigating factors that will include hearing the voices of children and young people.

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<sup>38</sup> Henson, 2014

## What therapeutic and trauma-transformative looks like in practice

These standards ensure that care provided to children and young people in detention is supportive, recognises the impact of trauma, and promotes healing and recovery through safe, consistent and compassionate practice that supports growth and sustainable change.

The indicators below provide the detailed clarity required to deliver the standard:

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<b>5.1 Therapeutic and trauma- transformative philosophy</b>	<ul style="list-style-type: none"><li>▪ Staff recognise that children and young people need support and healing, not punishment, and that trauma is a central factor influencing behaviour, engagement and wellbeing.</li><li>▪ Staff understand offending behaviour is often rooted in unmet needs and trauma.</li></ul>	<ul style="list-style-type: none"><li>▪ Staff ensure trauma-transformative principles are embedded across all settings and all responses are grounded in compassion, dignity and a commitment to rehabilitation.</li><li>▪ Staff view children and young people as survivors of adversity, not simply as offenders.</li></ul>	<ul style="list-style-type: none"><li>▪ Staff have an understanding of the impacts of oppression, racism and discrimination and are committed to anti-oppressive practice.</li></ul>
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**5.2  
Therapeutic  
milieu and  
daily life**

- Staff create a therapeutic living environment ('milieu') that is physically and emotionally safe, consistent and predictable and that promotes emotional and social wellbeing and development.
- Staff are experts at providing routines, rhythms and relational care that reduce anxiety and support regulation Daily routines, shared meals and consistent adult behaviours are adopted to foster normalcy and safety.
- Staff ensure the 'other 23 hours' are as therapeutic as formal interventions, with staff engaging meaningfully in everyday life, in the shared life space.
- All staff interact with therapeutic intent that promotes trust, stability, safety and felt safety.
- Education, vocational training and programs are trauma-transformative, purposeful, strengths-based, and tailored to individual needs.

**5.3  
Relational  
practice and  
attunement**

- Staff build strong, respectful relationships through consistent, attuned interactions and therapeutic intent while establishing clear boundaries and safe limits.
- Staff engage actively with children and young people, that is, not just caring for them but caring about them.
- Staff use every interaction and meaningful moment to guide, empower and support healing.
- Staff are congruent agents of change and build relationships based on curiosity, empathy and respect.
- Staff recognise signs of trauma and respond with validating, attuned and compassionate care, supporting the child or young person to understand themselves.

<p><b>5.4 Individualised and culturally responsive</b></p>	<ul style="list-style-type: none"> <li>▪ Children and young people are provided access to culturally responsive individual and family therapy.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Children and young people experience therapeutic interventions that address both individual and collective trauma.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Care is tailored to the child or young person's unique needs, identity and lived/living experience. Care planning includes strategies for sustained healing and enduring community connection.</li> </ul>
<p><b>5.5 Empowerment, collaboration and participation</b></p>	<ul style="list-style-type: none"> <li>▪ Children and young people are empowered to lead and participate in decisions about their care and the therapeutic environment.</li> <li>▪ Staff partner with children, young people, families and significant others in planning and healing.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Children and young people are supported to understand and address the needs that contributed to their behaviour, including offending behaviour.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Children and young people are viewed as experts in their own lives and are empowered to have agency and to be involved in planning and decision-making about their care.</li> </ul>
<p><b>5.6 Restorative and reflective approaches</b></p>	<ul style="list-style-type: none"> <li>▪ Staff support children and young people through emotional distress with co-regulation and guidance.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Staff use therapeutic and trauma-transformative, restorative practices to help children and young people reflect, repair and grow.</li> </ul>	

<p><b>5.7 Staff capability and support</b></p>	<ul style="list-style-type: none"> <li>▪ Staff are trained, supported and have the capacity and capability to engage in therapeutic care and trauma-transformative practice in a detention setting.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Staff are reflective and provided with reflective supervision, mentoring and coaching to build therapeutic skills and resilience.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Staff understand their role in fostering healing through everyday interactions.</li> </ul>
<p><b>5.8 Healing- centred reintegration</b></p>	<ul style="list-style-type: none"> <li>▪ Activities promote growth, skill-building and future opportunities.</li> <li>▪ Children and young people are supported and set up to sustain growth and change beyond detention.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Children and young people are prepared for reintegration through therapeutic planning, skill development, and building enduring community connections.</li> <li>▪ Planning and community services engagement ensure continuity of therapeutic support when leaving detention.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Children and young people are supported to process trauma, identify strategies that support their emotional regulation and wellbeing, and prepare for returning and remaining safely in community.</li> </ul>

# Practice standard 6: Staff support and wellbeing

## The service and staff commitment

We commit to supporting our workers and keeping them safe.

We provide our workers with the skills, knowledge and environment they need to maintain their wellbeing and keep them safe.

## What this means for a child or young person

*I experience positive relationships with the people who care for me. They are kind, understanding and calm, and I can trust them. They know how to keep me safe.*

*I can see that the people caring for me, care about me, notice my strengths and support me to be the best I can be. The adults caring for me hang out and hang in with me and are fair, calm and fun with children and young people.*

## What is it and why is it important?

The safety and wellbeing of staff is of critical importance in child and youth detention as this directly impacts staff perceptions and behaviour towards children and young people. Likewise, it affects staff ability to uphold the operating philosophy and provide children and young people with a therapeutic rehabilitative environment.

Staff safety is supported by a purpose-built physical environment, policies and procedures, and a focus on staffing levels, rostering and training that maintains relational security by equipping staff to engage relationally and de-escalate crisis situations. Critical systems of staff support will include staff meetings, consultation, supervision and management. The organisation will create a holding environment that enables staff to address and work through their inner experiences so that they can provide metaphoric holding for children and young people.<sup>39</sup>

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<sup>39</sup> Steckley, 2010

Leadership is involved, as it is recognised that the therapeutic orientation and role of managers and leadership is pivotal in developing holding environments.<sup>40</sup>

When children and young people see that staff are valued and equipped with the necessary skills, supports and resources, it creates an environment of trust, stability and consistency. Staff who are well-prepared and supported in their growth and development are better able to provide safe, relational and best practice care that promotes positive experiences and outcomes for children and young people. This approach ensures that children and young people receive high-quality, trauma-informed care, which is crucial for their rehabilitation and personal development. Additionally, when staff are supported in their roles, they can foster more meaningful relationships with children and young people, contributing to a safe and positive environment where a child and young person feel understood, respected, safe and empowered to change.

## **What children and young people will experience**

Children and young people can expect to see that staff members are valued and provided with the skills, supports and resources required to work safely, relationally and using best practice to enhance their experiences and outcomes. They will have a consistent staff team around them and

therefore will get to know the staff, and the staff will get to know them. Children and young people will feel safe and understood. They will experience a range of planned and purposeful activities to enhance their wellbeing and sense of fun.

## **What staff support and wellbeing looks like in practice**

These standards ensure that staff are supported, valued and equipped to provide safe, relational and therapeutic care to children and young people. This improves wellbeing of staff, who are more likely to experience their work as positive and rewarding, and improves outcomes for children and young people.

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<sup>40</sup> Department of Health UK, 1998; Steckley, 2010

The indicators below provide the detailed clarity required to deliver the standard:

<p><b>6.1 Staff safety and support systems</b></p>	<ul style="list-style-type: none"> <li>▪ A purpose-built physical environment and aligned procedures are in place to ensure staff safety.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Policies, procedures and staffing models are in place to support relational practice, relational security and responding to behaviour through rights-based, trauma-informed, relational practice.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Rosters and staff capacity enable regular staff meetings, supervision, training and coaching, and leadership and management support.</li> </ul>
<p><b>6.2 Leadership engagement</b></p>	<ul style="list-style-type: none"> <li>▪ Leadership is visible, involved, and actively supports staff wellbeing.</li> </ul>	<ul style="list-style-type: none"> <li>▪ A therapeutic, supportive leadership style that fosters a 'holding' environment for staff is prioritised.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Open communication and responsiveness to staff needs and concerns are prioritised.</li> </ul>
<p><b>6.3 Professional development and training</b></p>	<ul style="list-style-type: none"> <li>▪ Staff are provided with ongoing training in relational practice, culturally safe, trauma-transformative care, de-escalation and therapeutic approaches.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Staff are equipped with the skills and knowledge needed to work safely and effectively with children and young people in a custodial setting.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Staff are provided with training that reflects best practice and responds to emerging needs.</li> </ul>
<p><b>6.4 Consistency and stability</b></p>	<ul style="list-style-type: none"> <li>▪ Consistent staffing is provided to support relationship-building and continuity of care.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Rostering supports staff wellbeing and allows for meaningful engagement with children and young people.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Team wellbeing, consistency and shared responsibility for the care of children and young people are prioritised.</li> </ul>

<p><b>6.5</b> <b>Reflective practice and supervision</b></p>	<ul style="list-style-type: none"> <li>▪ Staff are provided with regular reflective supervision to support emotional processing and professional growth.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Staff are provided with the ‘holding’ environment to explore their identity and practice as a relational practitioner and the complexity of their role.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Staff are encouraged to use supervision as a space for learning, support and development.</li> </ul>
<p><b>6.6</b> <b>Staff wellbeing and resilience</b></p>	<ul style="list-style-type: none"> <li>▪ Staff wellbeing is promoted through access to mental health support, peer networks and wellness initiatives.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Staff are provided with the environment and understanding to recognise and respond to signs of burnout, stress and vicarious trauma.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Leadership, staff members and stakeholders foster a culture of care, respect and appreciation for staff role and contribution.</li> </ul>
<p><b>6.7</b> <b>Impact on children and young people</b></p>	<ul style="list-style-type: none"> <li>▪ It is recognised that staff wellbeing directly affects the quality of care and outcomes for children and young people.</li> </ul>	<ul style="list-style-type: none"> <li>▪ It is ensured that staff are equipped to build meaningful relationships and provide therapeutic, trauma-transformative care.</li> </ul>	<ul style="list-style-type: none"> <li>▪ An environment is promoted where children and young people feel safe, understood and supported by well-prepared, emotionally and socially intelligent adults.</li> </ul>

# Practice standard 7: Continuity and throughcare

## The service and staff commitment

We provide children and young people with opportunities for continuity of relationships and services throughout their journey, including on arrival, when in detention and on their return to their family and community.

## What this means for a child or young person

*I know that people make sure I have important relationships and supports that will continue to meet my needs.*

*I am connected and reconnected with people and the help I need, including when I return to my family and community.*

## What is it and why is it important?

Periods of incarceration, even shorter periods of remand, can have a significant impact on a person.<sup>41</sup> Remand has been identified “as one of the most taxing and unstable prison experiences”<sup>42</sup> and has some adverse effects on children and young people. Because remand leads to separation from family and community connection, disruption to accessing education/employment or services, and likely increased association with sentenced offenders, the role of the social worker and/or youth justice worker in care planning is paramount during this time of remand. The impact includes significant strain on a child or young person mentally, financially and socially. It can be disruptive to education, relationships and their health.<sup>43</sup> All young people, regardless of their sentencing status, will have the opportunity for connection and continuity of service provision both when in detention and when exiting.

Creating youth justice detention that is part of a continuum of services ensures that children and young people receive the

<sup>41</sup> Australian Law Reform Commission Report, 2017

<sup>42</sup> Freeman & Seymour, 2010

<sup>43</sup> OICS WA, 2015

appropriate support throughout their journey within the system. As practices at the facility are grounded in evidence-informed approaches, staff can more effectively address the underlying needs of children and young people, which are often drivers of offending behaviour. Providing a safe and supportive environment helps enhance a child or young person's wellbeing, reduces risk factors like reoffending, and promotes positive behavioural change. This approach is focused on achieving great outcomes, such as rehabilitation, successful reintegration, and long-term personal development, rather than arguably ineffective punitive measures. It fosters a system that addresses the root causes of offending, offering sustainable solutions for both the children and young people in contact with youth justice services and for the broader community.

One of the key aims of time in detention is to support the child and young person to develop connections, and the Integrated Care Planning team ensure continuity in care before, during and after the period of detention. This team plays a key role in supporting the child or young person to identify, maintain, establish and re-establish connection and relationships with the important people in their lives. Where needed, the child or young person is supported in restorative processes.

## **What children and young people will experience**

Children and young people can expect the environment to be a place where they can engage in nurturing relationships, spaces, services and supports that promote learning, personal growth, restoration and strong relationships and connections with friends, staff, family and the broader community. They can expect to have an identified adult walk alongside them to support them to develop those connections and to access the services that facilitate rehabilitation and restorative practices. They can expect services and supports to continue when they are returning and have returned to family and their community. These include ensuring the child or young person has a supportive, stable living environment surrounded by adults and services that set them up for success.

Young people who are sentenced to a period of detention past the age at which they can remain in youth detention will be supported to transition to the adult prison through a program jointly devised and delivered by youth detention staff and prison staff. The young person will be supported through this by their key worker and/or care planner, and in partnership with family and those important to the young person.

Child safety and youth justice community workers and services will remain engaged as key contributors to ensure continuity of relationships and supports, with roles and responsibilities clearly identified, to enhance the experience and outcomes for each child and young person.

## What continuity and throughcare looks like in practice

These standards ensure that children and young people experience consistent, connected care and support throughout their time in detention and as they transition back into their families, communities or adult systems. The indicators below provide the detailed clarity required to deliver the standard:

<b>7.1 Continuity of relationships</b>	<ul style="list-style-type: none"><li>▪ Each child or young person has a consistent, trusted adult (key worker and/or care planner) who walks alongside them throughout their journey.</li></ul>	<ul style="list-style-type: none"><li>▪ Stable, meaningful relationships between staff and young people are prioritised to support trust, engagement and personal growth.</li></ul>	<ul style="list-style-type: none"><li>▪ Children and young people are provided with relational continuity across transitions, including between services and settings.</li></ul>
<b>7.2 Integrated and individualised planning</b>	<ul style="list-style-type: none"><li>▪ Individualised care and throughcare plans that reflect the child or young person's needs, strengths, goals and cultural identity are developed and maintained.</li></ul>	<ul style="list-style-type: none"><li>▪ Children, young people, families and key community supports are empowered to lead and engage in planning and decision-making.</li></ul>	<ul style="list-style-type: none"><li>▪ Staff ensure plans are regularly reviewed and adapted as the child or young person's circumstances change.</li></ul>

<p><b>7.3 Seamless service access</b></p>	<ul style="list-style-type: none"> <li>▪ All children and young people are provided with access to education, health, mental health, vocational and cultural services throughout detention and into the community.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Services are coordinated and aligned to support rehabilitation and reintegration.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Staff and the team surrounding the child or young people challenge barriers and advocate for service continuity during transitions, including transfer to adult systems.</li> </ul>
<p><b>7.4 Return to community and transition support</b></p>	<ul style="list-style-type: none"> <li>▪ Reintegration planning starts early in the detention period, with a focus on long-term wellbeing and community connections.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Children and young people are supported to reconnect with family, culture and community in safe, meaningful ways.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Structured support is provided for transitions, including from youth to adult justice systems, with joint planning and continuity of care.</li> </ul>
<p><b>7.5 Restorative and rehabilitative focus</b></p>	<ul style="list-style-type: none"> <li>▪ Detention is used as a therapeutic and restorative opportunity, not a punitive one.</li> </ul>	<ul style="list-style-type: none"> <li>▪ The underlying causes of offending are addressed through evidence-informed, strengths-based approaches.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Personal development, responsibility and hope for the future are promoted.</li> </ul>
<p><b>7.6 Culturally responsive throughcare</b></p>	<ul style="list-style-type: none"> <li>▪ It is ensured that throughcare planning and services are culturally safe and responsive, particularly for Aboriginal children and young people.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Connection to Country, culture and community is supported as part of reintegration.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Cultural mentors and community organisations are involved in transition planning and support.</li> </ul>

<p><b>7.7</b> <b>Staff collaboration and communication</b></p>	<ul style="list-style-type: none"> <li>▪ Strong communication and collaboration between youth justice staff, community services and adult justice systems are promoted.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Staff ensure information-sharing is timely, respectful and supports continuity of care.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Staff are provided with the tools and training to support effective throughcare practices.</li> </ul>
<p><b>7.8</b> <b>Child and young person empowerment and participation</b></p>	<ul style="list-style-type: none"> <li>▪ Staff empower children and young people to take an active role in their care and reintegration planning.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Staff support them to identify their goals, strengths and support networks.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Staff provide children and young people with opportunities for reflection, learning and growth throughout their journey.</li> </ul>

# 8. The relational pathway (service model)

## **Child and young person's outcomes-focused pathway – a relational and rehabilitative approach**

The relational pathway describes how each child or young person in detention will be supported in their journey from entry to the facility to leaving detention to transition back into the community. This approach not only focuses on individual wellbeing but also strengthens community safety by reducing the likelihood of reoffending and supporting a positive return to community.

Each child or young person in detention will have their own supported pathway from entry to exit. Creating and enhancing connections, building a 'network for life' and enabling children and young people to be and to feel prepared to engage and contribute positively and meaningfully in their lives and within communities.

The relational pathway helps ensure the wellbeing of children and young people in detention. The outcomes that will be articulated in the Youth Justice Outcomes Framework and the related Theory of Change will provide the focus for assessment, planning and provision of the service; that is, each child or young person is provided with a supported and relational outcomes-focused pathway throughout their journey into, when in, and on leaving detention.

The service will work collaboratively and in a joined-up multidisciplinary manner. An Integrated Care Planning team, made up of professionals, including nurses and health professionals, and people important to the child or young person, will work with community services, including child safety and community youth justice, and those already engaged with the child or young person, placing them and the goals for them at the centre.

The team surrounding each child or young person will include a care planner, identified key worker/s, and identified professionals and champions supporting a focus on outcomes. The child or young person and their family will be engaged as partners.

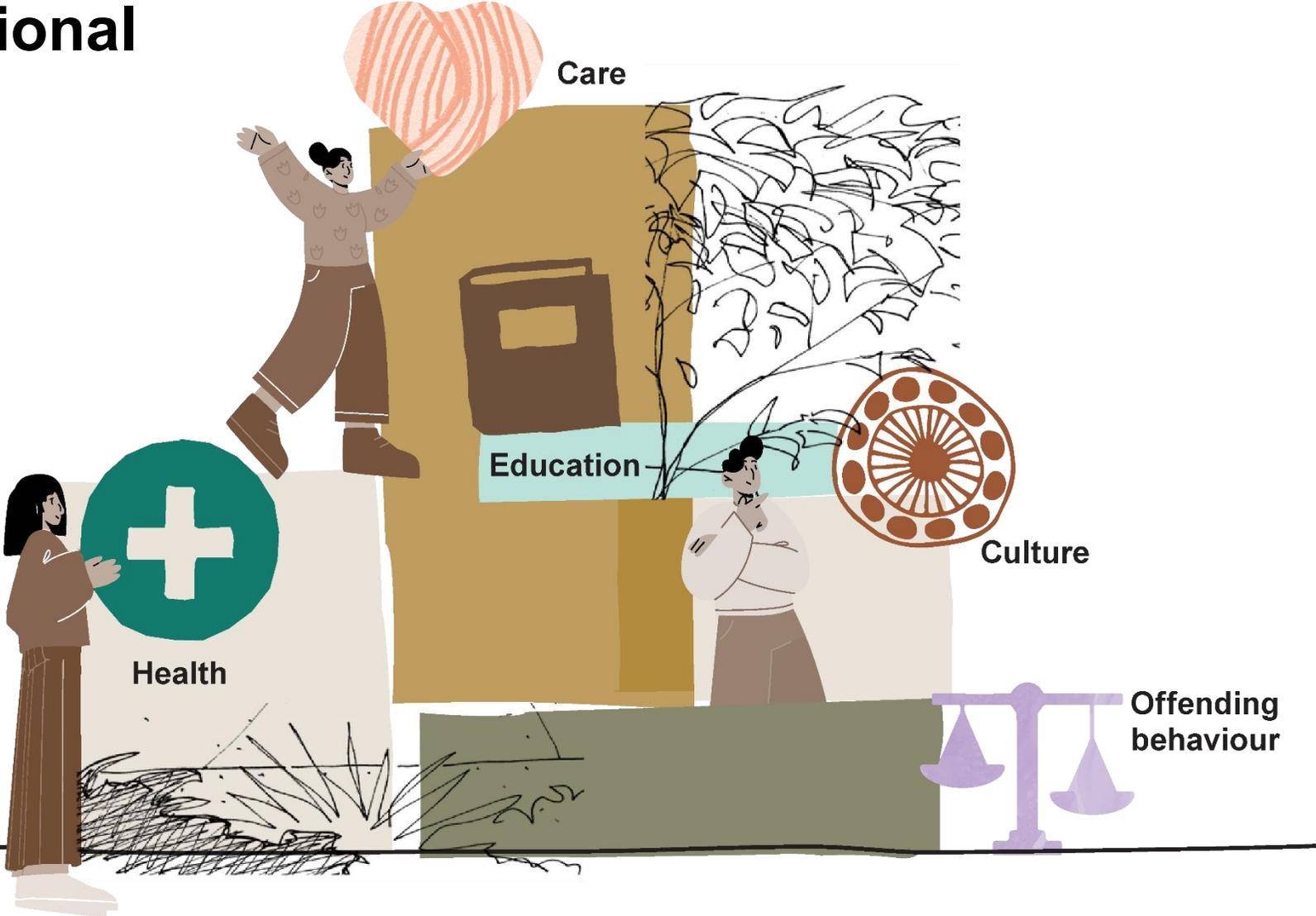
Child safety, youth justice community workers and Aboriginal and community services will remain engaged as key contributors to ensure continuity of relationships and supports, with roles and responsibilities clearly identified, to enhance the experience and outcomes for each child and young person.

Through thorough assessment, the integrated care planning model ensures tailored individualised support and services

that identify strengths, address holistic needs and support the child or young person, and their family, to reach goals that enhance all domains of their lives now and into the future.

Care planning is informed by the MoC operating philosophy, and is focused on strengths, needs, protective factors and goals in the key domains of Care, Education, Health, Culture and Offending Behaviour, with a strong focus on Throughcare, and entry to and transition from detention. A focus on these domains is critical not only for individual wellbeing but also for reducing recidivism and promoting safer communities.

# The relational pathway



## Assessment, integrated care planning<sup>44</sup> and tailored support

Children and young people entering detention have a variety of needs and goals. Some of these will be related to offending and others will be non-criminogenic, wellbeing needs. When children and young people enter detention, an assessment of needs, risks, strengths and protective factors is carried out and a re-assessment of these needs is an ongoing process throughout the period of detention and beyond.

Assessment by an integrated multidisciplinary team against the outcomes forms the basis of the care plan and the design of individually tailored support for the child or young person during their time in detention. This includes gaining an understanding of the factors surrounding an individual's offending behaviour and leveraging their personal strengths as this can contribute to a decrease in reoffending.<sup>45</sup>

The child or young person and their family will be engaged as partners to develop the co-created care plan to address these needs. Integral to this assessment is a multidisciplinary team that includes a focus on psychological, speech and language, occupational therapy, educational and mental health needs assessment examining functional capacity and sensory needs as appropriate. Identification of trauma related needs and disability is an additional key focus. Where appropriate, the multidisciplinary team will facilitate access to and engagement

with services for Aboriginal peoples. Each child and young person will have an identified Integrated Care Planner (Case Manager) and key worker/s whose role is to work closely with them and their family to support, collaborate and coordinate the actions and goals of the plan.

Following a robust analysis and understanding of the needs, the most suitable response will be identified from the variety of approaches, individual work, group work, planned and unplanned programs and interactions, from internal and external options.

Building on the requirement to be child-centred, international children's rights standards require that child detention advances children's rights. At the core of this integrated care planning approach is the child-centred approach, supported by regard for the child's rights in the five thematic areas of provision, protection, participation, preparation and partnership.<sup>46</sup> These five Ps are interconnected and indivisible from each other and from the child-centred approach.

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<sup>44</sup> Arguably the words 'case' and 'case management' are not person-centred because they imply a focus on the 'problem' or 'situation' being managed rather than the individual person with needs and perspective at the centre of the process. Similarly, the word 'management' implies the practitioner has control or management over the process, rather than the person themselves. It is important to reflect the key role the person, their families and other people have in the planning and implementation of this plan. So, to incorporate person-centred, child-first language, alternatives to the use of 'case management' are proposed. An alternative title outlined in the literature which is considered more appropriate for the model of care is 'integrated care planning' (ICP).

<sup>45</sup> Ward, Mann & Gannon, 2007

<sup>46</sup> Kil Kelly & Bergin (2021).

The care plan will focus on strengths, needs, protective factors and goals in the key domains of Care, Education, Health, Culture, Offending Behaviour and Transition. Each child or young person will have an individualised Positive Behaviour Support plan, which will be informed by the multi-element Positive Behaviour Support model and will include skill-building, individual factors, environment and developing staff skills through training. All care planning is informed by the MoC operating philosophy.

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## Assessment, integrated care planning and tailored support

### Service responsibilities and how they will be delivered:

- It is acknowledged that children and young people entering detention have a variety of needs and goals. Some of these will be related to offending and others will be non-criminogenic wellbeing needs.
- A holistic and restorative approach places the child or young person – their needs, strengths, interests, wishes and uniqueness – at the centre of care and care planning.
- The staff will empower the child or young person and their family to work alongside staff to co-develop the care plan and to address needs. They will be empowered and supported to lead the process. Families and carers will be enabled to engage with the process and plan.
- Each child and young person will have an Integrated Care Planning team, that includes an identified care planner and a key worker/s. All staff working with them take responsibility to know and support the child or young person's plan.
- The care plan will include individualised responses to Learning, Culture, Health, Behaviour, Addressing Offending Behaviour and Throughcare/Transition and a Positive Behaviour Support plan.
- The multidisciplinary team will assess strengths and needs against the wellbeing framework that informs development of a care plan and the design of individually tailored support for the child or young person during their time in detention, including gaining understanding of offending behaviour.

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- Assessment will include a focus on psychological, speech and language, occupational therapy, educational and mental health needs, examining functional capacity and sensory needs as appropriate.
  - Identification, assessment and appropriate responses to trauma-related needs and disability will be a key focus.
  - Assessment and planning will identify and respond to diverse and intersectional needs, ensuring equitable treatment and access for all children and young people provided with equity, non-discrimination and dignity.
  - Where appropriate, the multidisciplinary team will facilitate access to and engagement with services for Aboriginal peoples.
  - The care plan will be reviewed regularly on an ongoing basis. The plan will inform the ongoing supports required on leaving detention.
  - Child safety and youth justice community workers and services will remain engaged as key contributors to ensure continuity of relationships and supports, with roles and responsibilities clearly identified, to enhance the experience and outcomes for each child and young person.
  - Assessment and care planning will be informed by child rights in the five thematic areas of provision, protection, participation, preparation and partnership (UNCROC, 1989).
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# Arrival

When a child or young person with a history of trauma enters a youth detention centre for the first time, they may experience heightened hypervigilance.<sup>47</sup> This response stems from an already heightened sense of danger, which is intensified by the unfamiliar environment and their ongoing efforts to avoid triggers to their trauma. These factors can create a state of distress, leading the child or young person to perceive the setting as threatening. As a result, they may react with pain-based behaviour, such as physical aggression or, conversely, withdraw emotionally and physically from others as a means of self-protection. If they act with aggression and punitive restrictive responses are used this will serve to reinforce the sense that detention is unsafe and further contribute to their trauma. Staff at the facility will be well-trained in understanding trauma, will respond with trauma-informed care and will be well-prepared for the arrival of a child or young person.

Early assessment and identification of needs occur consistent with the United Nations Rules for the Protection of Juveniles Deprived of their Liberty (JDL Rules).<sup>48</sup> In addition, family and community connections can help to support a child or young person as they transition into the service.

It is recognised when a child or young person initially arrives in detention it is likely to be a distressing time for them. This distress may last for hours, days or longer and may present

as emotional dysregulation and increases in pain-based behaviour. The staff will carry out the arrival process with empathy and compassion, prioritising the wellbeing and safety of the child or young person. This aligns with the foundational principles of child safety, wellbeing and being child-centred and is informed by the pillars of relational practice and security and trauma-informed care.

The arrival of each child and young person is prepared for in advance, and all available information will be reviewed before their arrival. When they arrive, each child and young person will experience an intake process to orient them to the facility. Where possible, and as safety allows, family or carers will be enabled to support their child, and if not present, will be informed of the child or young person's arrival. They will be afforded the same level of empathy and compassion as their child. Any immediate health and wellbeing needs will be met. The child or young person and their family or carer will be provided with a child and young person-friendly rights-based charter, which provides information about their rights and what they can expect during their time in detention. The information will be provided in a range of formats to meet a range of learning needs and styles.

Each child and young person will be provided with space within the orientation area so that staff can directly support them and through relational engagement ascertain how ready

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<sup>47</sup> Pickens, 2016

<sup>48</sup> United Nations Rules for the Protection of Juveniles Deprived of their Liberty, Geneva, 1990

they are to join the other children and young people at the facility. The decision about which house the child or young person will stay in will be determined by a range of factors, including gender, age, culture, disability and other presenting factors. Safety and wellbeing of the individual child or young person and the wider group of children and young people will be key to all decisions.

Each child and young person will be introduced to their key workers and care planner (case manager) who will be their key support people during their time in detention and who will support the links and continuity with community and services, preparing them early for a successful return to the community. The child or young person will be supported so that they feel that the service is ready for them, can support them safely, meets them where they are at and that their immediate health and wellbeing needs will be met upon arrival.

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## Arrival

### **Service responsibilities and how they will be delivered:**

- Staff recognise that when a child or young person initially arrives in detention it is likely to be a distressing time for them, while understanding that each child or young person may present differently.
  - The practice, policies and processes will align with the philosophy of care and its principles.
  - The entry or arrival of each child and young person will be prepared for and reviewed in advance with attention paid to any specific individual need. While planning is undertaken ahead of time, plans will be adaptable to respond to changing circumstances and emerging needs.
  - Staff will carry out the arrival process with empathy and compassion, prioritising the wellbeing and safety of the child or young person and that of the wider group.
  - Where possible, and as safety allows, family will be enabled to support their child and if not present, family will be informed of the child or young person's arrival, with empathy and compassion. Earliest opportunities to have contact with their child will be discussed and planned.
  - Any immediate health and wellbeing needs will be assessed and met. This will include medication, disability support, drug and/or alcohol withdrawal support and support for mental health concerns and supports related to gender, sex, culture, religion, sexuality and intersectional identity.
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- Each child and young person will be provided with their own bedroom within the orientation area until assessed as ready and it is suitable for them to move.
  - Each child and young person will be introduced to their key worker/s and care planner (case manager) who will be their key support people.
  - Each child will be supported through a thorough orientation to the environment.
  - A child and young person-friendly rights-based charter and information will be provided to the child or young person and their family, through a range of accessible mediums. This will include details of complaints processes, oversight bodies, staff, routines and rhythms of the houses and facility.
  - Families will be provided with information, introduced to their child's key staff, and encouraged and enabled to engage with facility and community supports.
  - Each child or young person will be invited to identify those family members, carers and people important to them.
  - When time and situation allow, the child or young person will be provided with information about the facility before they arrive.
  - When possible and appropriate, each child or young person will be introduced to a 'buddy'.
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# Domain 1:

## Care/being cared for

Care is child-centred and rights-based. The child or young person experiences staff who are relational and who are committed to decision-making that is informed by the child's best interests. They experience a focus on development and strengthening connection with family, friends and community members meaningful to the young person.

Child-centred youth justice is a holistic and restorative approach which places the child or young person and their needs, strengths, interests and wishes at the centre of planning and care. This approach empowers children and young people to work with the detention staff to identify and address the drivers of offending behaviour, and to discover and nurture strengths and skills which will act as protective factors to support their rehabilitation and return to community. It is acknowledged that children and young people are different to adults and need approaches that are age and developmentally appropriate. The approach is responsive to each child or young person's identities and uniqueness, including disability and intersectionality.

Children and young people experience relational care that emphasises the importance of relationships and connections in the promotion of wellbeing. Facilitation of the connection with families, friends and broader supports in the community is emphasised through empowering partnerships, with regular face-to-face and virtual visits and connection. Staff are attuned, empathic and relationally engage in formal and informal, planned and unplanned purposeful activities with opportunities for growth and development.

Children and young people will also experience this level of care, compassion and respect when engaging with partners and those providing services to the facility. Transport to and from external activities will be provided by at least one member of the staff who is known to them.

## Care/being cared for

### Service responsibilities and how they will be delivered:

- Each child and young person will experience care that is child-centred and rights-based.
- The child and young person will experience staff who are relational and who are committed to decision-making that is informed by the child's best interests.
- Staff will be experts in creating and maintaining physically, relationally and culturally safe and secure environments.
- Staff will be attuned, compassionate and relationally engage in formal and informal, planned and unplanned purposeful activities with opportunities for growth and development.
- Staff will view youth justice as holistic and restorative, placing the child or young person and their needs, strengths, interests and wishes at the centre of planning and care.
- Staff will respond to children and young people in age and developmentally appropriate ways, and recognise and respect disabilities, diversity and intersectionality.
- Staff will empower the child or young person to work alongside them to identify the drivers of their offending behaviour and to identify their individual, family and community strengths that can be grown as protective factors to support their rehabilitation and return to community.

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- Staff will facilitate the connection with families, friends and broader supports in the community through empowering partnerships, with regular face-to-face and virtual visits and connection, within the facility and child's community.
  - Families and those important to the child or young person will be supported and enabled to spend time with their child. This will happen in the community where and when it is safe to do so.
  - Staff and systems will place vital importance on the role of participation, voices, collaboration and agency.
  - Staff will focus on helping children and young people grow, heal and make better choices.
  - Specific practice, policies and procedures regarding restrictive practices (including use of force/restraint, isolation and searches) will align with a child-centred, rights-based and harm-minimisation approach.
  - Children and young people will be supported to develop their social and emotional literacy, life skills, and positive relationships with peers and others.
  - Staff will support children and young people to understand the impact of their actions and help them take responsibility while also making sure they feel heard and supported, through restorative practice.
  - Staff will provide an environment that is conducive to positive development, where children and young people's behaviour challenges are addressed in a non-punitive use of natural and logical consequences and restoration.
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## Domain 2: Education, vocational training, programs and recreation

Both international conventions and national laws and guidelines recognise the right of children and young people in detention to access education. Furthermore, the Longitudinal Study of Indigenous Children (2018) stresses the importance of a robust educational focus as, for some children and young people, detention signifies the first period of stability in their lives with consistent access to educational or therapeutic programs.<sup>49</sup>

Ensuring consistent education in youth justice detention is essential for rehabilitating children and young people and reducing their likelihood of reoffending.<sup>50</sup> Access to education in detention can improve future employment prospects and enhance literacy and numeracy skills among a population that has often experienced disrupted and limited engagement with educational services. Additionally, research suggests that children and young people who achieve higher educational attainment while in detention are more likely to continue their education after release and have lower arrest rates.<sup>51</sup>

Education, learning opportunities, programs and access to appropriate training and vocational courses are essential core elements of each child and young person's programming.

A child or young person may also continue to access schooling in the community as deemed safe and appropriate. A range of planned and purposeful programs and curriculum to meet the assessed individual needs and interests of the child or young person will be delivered within individual and small group sessions, with opportunities for larger group activities as necessary and appropriate. Each child or young person has a care plan that includes the focus on the domain of education.

They will experience education and other services that recognise and embrace the importance of culture and culturally safe people, programs and interventions. Education, teaching and programs will be responsive to the lived and living experience of children and young people and their communities, with facilitators, content and ways of engaging reflecting this.

Within the facility, the myriad learning choices include quality, differentiated learning to participate in exams and activities including, but not limited to, gardening, cookery, physical education, sport, music, art, drama and woodwork. The

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<sup>49</sup> Garner, 2023

<sup>50</sup> Armytage & Ogloff, 2017

<sup>51</sup> Victorian Auditor-General, 2018

education space has access to safe outdoor spaces that can be readily used, as safety allows.

Flexible opportunities for work experience and vocational courses in the community will be enabled through relationships and partnerships with Aboriginal people, organisations, elders, learning providers and local businesses, with a focus on skill development, gaining qualifications, building connections, and increasing chances of future employment and life chances. Children and young people are provided with a wide range of opportunities to experience a sense of fun through leisure activities that they experience individually alongside staff or as part of a group. Participation in decision-making processes are valued so that agency, individual wishes and interests are considered in the array of the activities on offer. Community engagement in activities, both within detention and externally, are enabled when safe to do so.



## Education

### Service responsibilities and how they will be delivered:

- Staff will ensure that children and young people receive consistent education as this is recognised as essential for wellbeing, rehabilitation and reducing their likelihood of reoffending.
- Based on assessment, each child or young person will be supported to contribute to a care plan that includes the individual learning plan with a focus on strengths, needs, goals, strategies, supports and opportunities.
- A culture of high quality and high expectation will inform all areas of learning. Learning content will reflect and respond to children and young people's culture, context, language, age and development. This will include Aboriginal cultures, histories, language and stories.
- Aboriginal community and organisations will design, lead and facilitate programs and learning opportunities.
- The education environment will be informed by the operating philosophy and core principles; therefore, it will be therapeutic, trauma informed and address the barriers to learning in a strengths-based way.
- Children and young people will be empowered to engage with a myriad learning choices that will include literacy and numeracy, curriculum to participate in tests and exams, and activities including, but not limited to, gardening, cookery, sport, music, art, drama and woodwork.
- Each child or young person will be provided with education, learning opportunities, programs and access to appropriate training and vocational courses, including links to work experience and employment opportunities.

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- Flexible opportunities for work experience and vocational courses in the community will be encouraged through relationships and partnerships with learning providers and local businesses. The focus will be on skill development, gaining qualifications, building connections and increasing chances to build social capital, and future employment and life chances.
  - Opportunities to enable and support a child or young person to safely access education in the community will be proactively explored.
  - A range of planned and purposeful programs and curriculum to meet the assessed individual needs and interests of the child or young person will be delivered within individual and small group sessions, with opportunities for larger group activities as necessary and appropriate.
  - The education space has access to safe outdoor spaces that will be readily used, as safety allows.
  - Staff will create opportunities for children and young people to experience fun, joy and connection through leisure activities.
  - Throughcare and aftercare planning and supports will identify and address barriers in order to enable continuity of education and vocational opportunities.
-

## Domain 3: Health

As with the education domain, both international conventions and national laws acknowledge the right of children and young people in detention to access health services. Good physical and psychological health are widely considered essential for protection and rehabilitation. In line with the JDL Rules, detention facilities must address the holistic health and wellbeing of children and young people, including their physical, mental, emotional and social health. This requires access to a multidisciplinary team to assess and address these concerns.

Continuity of care is critical as children and young people transition into and out of detention. As part of their care planning, it is essential to maintain and establish connections with health services in their community, ensuring support both during detention and when they leave. This involves coordinated care planning between the facility and the community, empowering children and young people, advocating for their needs, and collaborating with their families. It also includes ensuring access to services that were in place prior to detention, requiring safe transport to the community and space for external organisations and partners within the facility.

Children and young people in custody often have complex and intersecting needs. In response to medical needs, close

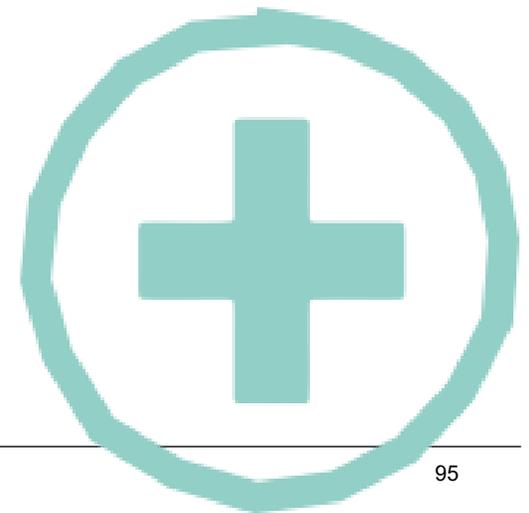
observation and nursing care may be required to ensure safety. Each child or young person has unique challenges and potential for growth. Mental health support focuses on building trust with the child or young person, respecting their feelings and experiences, and tailoring therapeutic interventions to their developmental stage. This approach is compassionate, empowering and involves the family and community to extend support beyond detention. By focusing on the child or young person's wellbeing and strengths, this approach fosters positive change, reducing the likelihood of reoffending and helping the child or young person thrive both in detention and when they leave.

Ongoing assessment of a child or young person's health and wellbeing is primarily facilitated by the Integrated Care Planning team. Assessment will be holistic and include disability and mental health needs. Any identified needs are reflected in the care plan. Each child or young person's needs will be continuously assessed to ensure appropriate care. Specialised healthcare services, such as psychiatry, psychology, occupational therapy, speech therapy and dental health and drug and alcohol services, are provided by visiting professionals to address diverse and complex needs.

For those already receiving health and wellbeing support in the community, arrangements are made for them to continue

accessing these services offsite or onsite, as appropriate. Staff prioritise facilitating these supports, ensuring timely care. While face-to-face visits are preferred for effective engagement, virtual sessions are arranged when necessary to maintain continuity.

The multidisciplinary team recognises and respects the diversity of Aboriginal cultures. Care is provided in a way that aligns with each individual child or young person's values, beliefs and cultural needs. Extra consideration is given to those who prefer traditional medicines and healing practices, ensuring culturally responsive and inclusive health care.



## Health

### **Service responsibilities and how they will be delivered:**

- The Integrated Care Planning team, process and focus will reflect the often complex and intersecting health needs of children and young people in detention.
- The immediate and ongoing assessment of a child or young person's health and wellbeing will be primarily facilitated by the Integrated Care Planning team and reflected in the individual care plan.
- Any immediate health and wellbeing needs will be assessed and met. This will include medication, disability support, drug and/or alcohol withdrawal support, support for mental health concerns, and supports related to gender, sex, culture, religion, sexuality and intersectional identity.
- A more comprehensive, holistic assessment will be completed soon after the child or young person's arrival. This will include assessing disabilities and mental health needs.
- All staff will collaborate and be supported to understand and respond appropriately to the unique needs of the individual.
- Children and young people will have access to a range of professionals including a nurse, GP, psychiatrist, psychologist, dentist and allied health in the dedicated space. Health care needs may be responded to in the houses, depending on need and appropriateness.

- 
- The diversity of Aboriginal cultures will be respected, and care will be provided in a way that aligns with each individual's values, beliefs and cultural needs. Additional consideration will be given to those who prefer traditional medicines and healing practices, ensuring culturally responsive and inclusive health care.
  
  - Children and young people from all cultures and groups and their wishes regarding health needs and treatment will be respected, and they will be treated with dignity.
  
  - Health care and wellbeing support will focus on building trust with the child or young person, respecting their feelings and experiences, and tailoring therapeutic interventions to their developmental stage. The approach will be compassionate, empowering, and involve the child or young person's family and community in extending support beyond detention.
  
  - In response to medical needs, such as a mental health crisis, onsite health observation beds are available for use, when it is assessed that more acute care is not required for a child or young person.
  
  - Staff are aware that continuity of care is critical as children and young people transition into and out of detention. Staff will ensure collaboration, communication and contact with services that were in place prior to detention and where appropriate ensure access to these services. Staff will support children and young people to connect with new health services in their community to establish and increase support both during detention and on return to community.
  
  - While face-to-face visits from external professionals are preferred, virtual sessions will be arranged when necessary to maintain continuity.
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## Domain 4: Culture and identity

Children and young people will be supported in developing a strong and positive sense of identity. Their values and beliefs are acknowledged and respected, fostering personal growth and self-worth. They will have access to services that enable them to explore and engage with their culture, including participation in programs such as art to strengthen cultural connections. Additionally, opportunities to connect with cultural communities will be encouraged, ensuring a sense of belonging and continuity.

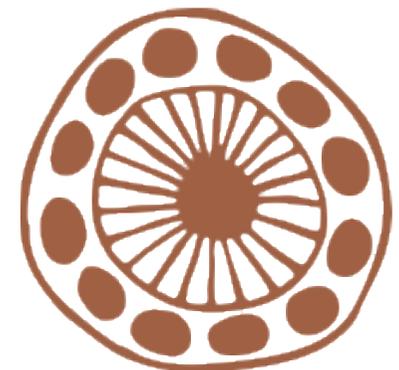
Culturally safe and responsive activities will be delivered through a collaborative effort involving a range of roles, including Aboriginal staff and visiting community members. These activities will be designed to foster a sense of identity, belonging and cultural connection for young people.

To ensure children and young people feel safe and supported, designated spaces will be created where they can engage in yarning and openly discuss sensitive topics. These safe spaces will be facilitated by community members on staff, visiting cultural mentors, and external service providers. Additionally, visits to the community will be arranged to strengthen cultural ties and maintain connections with Country, Elders and support networks.

Empowering children and young people to take an active role in managing their own health and wellbeing will be a priority. Community-led initiatives will be encouraged, ensuring that interventions are shaped by cultural knowledge and strengths-based approaches that promote self-determination and resilience.

To uphold the highest standards of cultural connection, professional and operational supervision will be provided to staff. This will ensure they are well-equipped with the knowledge, skills and sensitivity required to deliver culturally responsive care and foster meaningful engagement with young people.

Diversity and culture in its broadest terms, including sexual and gender diversity, will be respected, supported and celebrated. Those from culturally and linguistically diverse backgrounds will be supported to maintain and grow connections and resources to enhance wellbeing and outcomes.



*Figure right – this image  
(the Connection value icon)  
illustrated by Tanya Harper.*

## Culture and identity

### Service responsibilities and how they will be delivered:

- Children and young people will be supported in developing a strong and positive sense of identity.
- Each child or young person will have a care plan that includes a cultural plan.
- Children and young people will experience an environment where they see and feel that their cultural identity is respected, valued and celebrated.
- They will experience education, health and other services that recognise and embrace the importance of culture and culturally safe people, programs and interventions.
- Education and programs will be informed by culture, language and self-identity. Where possible those who identify with the identity of the child or young person will deliver these.
- They will have access to people and services that enable them to explore and engage with their culture, including participation in cultural communities and programs to strengthen cultural connections.
- Culturally safe and responsive activities will be delivered through a collaborative effort involving the Programs team, school, integrated care planners, Aboriginal Liaison Officer, and visiting community and family members.
- Designated spaces will be created where they can engage safely in yarning and openly discuss sensitive topics, facilitated by community members on staff, visiting cultural mentors, and external service providers.

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- Aboriginal people will be employed in leadership positions and throughout the staffing profile.
  - Staff will be well-equipped with the knowledge, skills and sensitivity required to deliver culturally responsive care and foster meaningful engagement with children and young people.
  - Children and young people will be cared for by people who are from their culture, and by those who understand the power that they hold as adults, and the impact of racism, ableism and other majority privilege on children, young people and minority groups.
-

# Domain 5:

## Offending behaviour

Placing children's rights at the core of youth justice ensures that the dignity, wellbeing and needs of children and young people are prioritised while maintaining fair and constructive accountability. This approach aligns with international frameworks such as the United Nations Convention on the Rights of the Child (UNCRC), which emphasises rehabilitation, education and reintegration over purely punitive measures.

The service adopts a rights-respecting framework that promotes rehabilitation by focusing on fairness, proportionality and tailored support for each child or young person. It adopts a holistic approach that considers personal wellbeing, offence-specific needs and health, alongside legal accountability. This approach demonstrates that accountability and support can coexist, reducing reoffending and aiding successful reintegration into society. It emphasises positive development, resilience and long-term wellbeing, benefiting both the child or young person and the wider community.

A focus on continuous, coordinated management from the first point of contact to community reintegration helps protect the rights of children and young people to heal, grow and thrive. Addressing offending behaviour holistically requires assessing physical, mental, emotional and social health, supported by a multidisciplinary team capable of meeting these needs. This effective planning is essential to support diverse needs

through evidence-based assessments that inform tailored individualised care plans. Collaboration with the child or young person, staff, external professionals, and family or other connections is key to developing and maintaining these plans. Policy and processes will ensure regular ongoing assessment and evaluation to ensure the care plan remains responsive to the child or young person's evolving needs. Collaboration and partnership with the child or young person, their family and people important to them is central to planning, and they are empowered and enabled to engage and develop child and family-led plans. Additional cultural and community connections are strengthened as these are crucial to the plan's success.

The service ensures that appropriate and necessary support comes from internal programs, visiting specialist services, and/ or existing community-based resources. New connections may be established where necessary to provide appropriate, ongoing community support. This responsive system encourages help-seeking behaviour and effective interventions that promote recovery, resilience and long-term wellbeing.

Culturally appropriate and community-led approaches are more effective in addressing the unique needs of Indigenous children and young people. Aboriginal practitioners and community members will lead interventions and programs as

Aboriginal-led interventions ensure that programs are grounded in cultural knowledge, respect traditional practices, and strengthen connections to community and Country, which are crucial for wellbeing, rehabilitation and reducing reoffending. Offending needs will be addressed within the strengths-based Good Lives Model. This model involves recognising that offending behaviour often stems from unmet psychological needs or the pursuit of primary human goods (such as autonomy, relationships and wellbeing). Rather than solely managing risks, the Good Lives Model theoretical framework emphasises helping individuals build strengths and develop prosocial ways to achieve these goods. By addressing underlying needs alongside risk factors, this approach promotes holistic wellbeing, fostering motivation and cooperation in rehabilitation efforts.<sup>52</sup>

In addition, staff recognise the additional drivers of offending behaviour such as the impact of material deprivation, living conditions and community disconnection on children and young people and how this contributes to children and young people coming into conflict with the law. The team will work with family and those important to the child or young person to recognise and grow protective factors. The team surrounding the child or young person will collaborate with state and community agencies to advocate for resources and services

to address provision while providing support and opportunities to grow social capital, connections and networks for life.

Alongside the focus on restorative justice and rehabilitation, staff will support children and young people to understand the drivers and take responsibility for the impact of their offending behaviour on victims. Opportunities for reparation and 'giving back' will be provided, as appropriate for each situation, and through programs such as community services.

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<sup>52</sup> Ward & Maruna, 2007

## Offending behaviour

### Service responsibilities and how they will be delivered:

- Children's rights at the core of youth justice will ensure that the dignity, wellbeing and needs of children and young people are prioritised while maintaining fair and constructive accountability.
- Staff, programs and interventions will focus on restoration, reparation and rehabilitation.
- Staff and programs will adopt a holistic approach that considers personal wellbeing, offence-specific needs and health, alongside accountability and aiding successful reintegration to the community.
- Each child or young person will have a coordinated individualised care plan that addresses offending behaviour holistically, that is through assessing physical, mental, emotional and social health, and offending needs.
- The multidisciplinary team will have the skills and resources to address risk-taking and offending behaviour, through continuous, coordinated assessment and planning from the first point of arrival.
- The strengths-based Good Lives Model will be adopted to address offending behaviour, providing effective interventions that promote recovery, resilience and long-term wellbeing.
- Each child or young person will have access to support from internal programs, visiting specialist services, or existing community-based resources. New connections will be established where necessary to provide appropriate, ongoing community support.

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- Each child or young person, their family and people important to them will be central to planning, and they will be empowered and enabled to engage and develop child- and family-led plans. Additional cultural and community connections will be strengthened as these are crucial to the plan's success.
  
  - Aboriginal practitioners and community members will lead interventions and programs that are grounded in cultural knowledge, respect traditional practices, and strengthen connections to community and Country.
  
  - Alongside the focus on restorative justice and rehabilitation, staff will support children and young people to understand the drivers and take responsibility for the impact of their offending behaviour on victims. This will include involvement in community conferencing where appropriate.
  
  - Opportunities for reparation and 'giving back' will be provided, as appropriate for each situation and through programs such as community services
-

# Transition/leaving

The service will support the vital importance of throughcare and transition planning and will advocate for the need for this process to be an ongoing collaboration between government, community and Aboriginal service providers, to ensure adequate and appropriate handovers between custodial and community-based providers, facilitating continuity of care and support.

By embedding exit planning into the entire service duration, young people receive consistent preparation for their return to the community, improving their chances of rehabilitation and reducing recidivism, which supports community safety. As described in the MoC principles, the transition phase is a vital component of care planning to assist the child or young person to reconnect with the community and is consistent with the elements of therapeutic supports as outlined in the Youth Justice Blueprint and the Youth Justice Model of Care.

Planning for a child or young person's transition out of detention begins the moment they enter detention. This proactive approach ensures that sufficient time is allocated to develop and implement a comprehensive reintegration strategy tailored to the individual's needs. By commencing at this point, key stakeholders, including the child or young person, family members, people important to the child or young person, care planners, educators and community support services, collaborate to create a structured plan that addresses critical areas to address in detention and then upon leaving.

In partnership with the child or young person and family, the team determines which services and supports were involved with them and how these connections can be maintained to help support the child or young person's stay and their transition from detention. Continuity and connections are maintained through care team meetings, which include the key contacts for child and young person. Should new services and supports be required, the team identifies this through care planning and supports access to and engagement with these. Such supports might be in housing and stability; education, vocational training and employment; health and wellbeing; cultural and community connections; legal support and other necessities.

The team surrounding the child or young person will collaborate with state and community agencies to advocate for resources and services to address provision while providing support and opportunities to grow social capital, connections and networks for life. Child safety and/or Youth Justice community workers will remain involved as co-workers, playing an active role in developing and implementing plans and facilitating continuity throughout the child or young person's journey.

Grounded in the operating philosophy, core principles and the standards of continuity and throughcare, the integrated components of transition planning for children and young people transitioning from detention are outlined below. This transition approach supports practitioners to take a proactive, collaborative and culturally responsive approach, to ensure every child or young person feels, and is, prepared for a successful transition back to their community, enhancing positive outcomes and community safety. See Appendix 2 for key areas for transition planning.

## Transition

- The service will facilitate, support and advocate for this process to be an ongoing collaboration between government, community and Aboriginal service providers, to ensure adequate and appropriate handovers between custodial and community-based providers.
- It will advocate for housing and stability; education, vocational training and employment; health and wellbeing; cultural and community connections; legal support and other necessities to be addressed and established before the young person returns to the community.
- Planning for throughcare and transition will be proactive and planned for from the beginning of the child or young person's journey.
- Child safety and/or Youth Justice community workers will remain involved as co-workers playing an active role in developing and implementing plans and facilitating continuity of support.
- All children and young people, regardless of sentencing status or orders, will have the opportunity for connection and continuity of service provision, both when in and when leaving detention.
- Children and young people will be supported in preparation for their return to the community, through relationships, programs and opportunities to improve their chances of sustainable rehabilitation and to reduce recidivism and support community safety.
- The Integrated Care Planning team will play a key role in ensuring continuity of care supports and services before, during and after the period of detention, through individualised assessment and care planning.

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- Led by and in partnership with the child or young person and family and/or pro-social adults it will be determined which services, supports and people important to them were involved with them, and how these connections can be maintained to support the child or young person's stay and when leaving detention.
  - Community agencies and supports engaged with the child or young person will be encouraged to continue engagement while they are in and on leaving detention, and the facility practice, policies and procedures will facilitate this.
  - The team will identify gaps in provision, refer and advocate for identified services and supports.
  - Continuity and connections will be maintained through Integrated Care Planning team meetings, which include the key important people to the child or young person.
  - Key worker responsibility will be handed over to a community-based service, through a relational handshake process.
  - At the stage of leaving detention, based on needs, safety and wishes, the child or young person will be provided with the opportunity to live 'independently' within the facility and to increase time spent in the community as appropriate.
  - Plans will include preparation for setbacks and how best to address them.
  - No child or young person will leave without a supportive identified key worker or person to actively engage and a clear plan that will support successful reintegration into the community and reduce the likelihood of recidivism.
  - Roles and responsibilities of the Integrated Care Planning team, key worker and community-based services will be clearly documented in the plan. Transition milestones, handover processes and review points will be outlined to ensure coordination, accountability and a continued focus on the outcomes for the child or young person.
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# What a day looks like for a child or young person

The education space is at the centre of the facility and will be attended by each child or young person during weekdays. During breaks and lunchtimes, children and young people will come back to their houses for lunch or spend time in the café and communal areas, with staff. Term times follow the national educational calendar.

The school will offer a varied educational and vocational curriculum. Each child or young person follows an educational program tailored to their academic level and social and developmental needs, along with key factors such as expected length of stay, an assessment of what they may achieve, and their future plans and career interests. The school offers the national curriculum and learning support programs to enhance basic key skills.

The staff will run an extensive schedule of after school activities each weekday. Children and young people will engage in recreational, vocational and educational activities, with many completing projects that count towards recognition and certification. Children and young people will participate in specialist programs that address offending behaviour and promote healthy relationships and positive lifestyle choices. Planned and purposeful programs will be offered to meet individual needs, with delivery coordinated and integrated into the school and activities schedule.

During weekends and school holidays, staff will support the delivery of recreational and special interest activities onsite. These may also occur in the community, as appropriate. Family and those important to the child or young person are encouraged and supported to visit regularly.

Activities and programs may occur offsite and community members and businesses will be encouraged to engage as appropriate to provide a breadth of experiences, opportunities and connections.

# An example day

This is an example of the range of daily activities that a child or young person could engage with, depending on individual circumstances, noting that all may not happen in one day or one week, and may be spread over a period of time.

Figure 7: An example day diagram. See Appendix 5 for text description

## Child/Young Person

- Feeling safe, supported, empowered and given agency to make decisions. lead and reach collaborative goals



**Morning**  
Wake up set time



**Group program**  
Participates in addressing offending behaviour group program



**School**  
Attends school



**Transition care planning meeting**  
Meets with care planner, key worker and family



**Family visits**  
Has a planned visit with parent and sibling



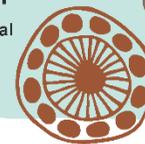
**Meets with local business to plan work experience**



**Dinner preparation**  
Parent and sibling still at the centre so they cook and eat dinner together



**Project Leisure time**  
Meets with peers and staff to complete veg garden prep and play basketball



**Down time-cultural reflection**  
Spends time with peers and cultural advisor in the centre's cultural reflection space before bedtime

## Key Worker(s)

- Relational, safe care, guidance and support



## Professional Support

- External & Internal professional engagement and support



## Partnerships with family, carers, & those important to the child or young person

- Supported, empowered and enabled to engage and contribute to planning and journey



# 9. Organisational framework

The organisational framework describes the enablers that are required to enable the Model of Care to be implemented. These align with the enablers outlined in the Youth Justice Model of Care but have been adapted for the new facility.

These essential elements will be addressed through identified workstreams. They are interwoven and interdependent.

The MoC is underpinned by legislation and international frameworks, which are detailed at Appendix 1. Specific operational policies, practices and procedures for the new facility will be developed in alignment with the MoC.

## People and workforce

*A stable, skilled, trained supported and united multidisciplinary team with shared values*

## Monitoring, reporting and evaluation

*A strong focus on oversight, quality assurance, reporting, evaluation and continuous improvement*

## Infrastructure

*Infrastructure that creates a safe, therapeutic environment and ensures the ongoing sustainability of the facility*

## Governance

*Governance that supports a learning organisation, quality assurance and continuous improvement*

## Partnerships and programs

*Collaboration and programs to support the wellbeing and rehabilitation of children and young people*

## Technology

*Digital enablers, including security, systems and databases, data business rules, electronic daily log, recording and reporting templates*

# People and workforce

*A stable, skilled, trained, supported and united multidisciplinary team with shared values*

International conventions and rules advocate for child detention to be staffed by appropriately trained workers. They will need to be suitable for, and capable of, working with children and young people who present with complex needs and behaviour, and able to work within the dynamic and changing environment of the detention facility. Staff must be able to operate according to child-friendly, rights-based policies and practices.

The Convention on the Rights of the Child requires that institutions, services and facilities responsible for the care or protection of children shall conform with the standards established by competent authorities, particularly in the areas of safety and health, in the recruitment, number and suitability of their staff, and in their training and competent supervision.<sup>53</sup> The importance of specialised multidisciplinary teams, with continuous and systemic training and appropriate support are highlighted.<sup>54, 55</sup>

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<sup>53</sup> UN Convention on the Rights of the Child, Article 3(3)

<sup>54</sup> Convention on the Rights of the Child Committee, 2015; 2019a; The Havana Rules, 1990

<sup>55</sup> Souverein, 2023

These attributes are outlined below:

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### **Attributes of staff in youth justice detention**

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- Has a personal belief system and world view that all children and young people deserve to have rights, are in detention for rehabilitation, restoration and healing, and can get their lives back on track with supportive, caring and purposeful relationships and environments.
  - Understands, and is capable of operating within, a regulated environment that includes laws, policies and procedures designed to promote and protect child and youth safety.
  - Is skilled in everyday care practice and engaging in relationships, while creating predictable, consistent and safe environments, maintaining a strong sense of boundaries between the professional, personal and private self.
  - Is a compassionate, culturally safe and reflective practitioner who has well-developed social and emotional intelligence, which enables them to practice with humility with children and young people of diverse identity who have a range of needs.
  - Has adaptability, resilience and the ability to critically think when working in a highly complex psychodynamic environment, managing behaviours of children and young people with caring curiosity in a professional therapeutic manner, including a balanced focus on the needs of the child or young person during crisis situations, and seeing these situations as developmental opportunities.
  - Approaches their work with children and young people through identifying strengths and building on these through a co-created relationship with the child or young person, where the child or young person experiences authenticity and therapeutic intent.
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- Has the ability, including strong relational communication skills, to work in partnership with families and those important to the child or young person as equal members of the child or young person's care team, and with other members of the multidisciplinary support available internally, in agencies and communities.
  
  - Enjoys individual and group daily living activities and programs with children and young people, with an ability to engage with them in planned and purposeful ways.
  
  - Sees value in being part of a team who are unified in purpose, and who are transparent, trustful, and willing to support, challenge and grow each other.
  
  - Understands the parallel process – how the wellbeing of staff and service culture affects the experience for children, young people and families – and takes their individual responsibility for maintaining this.
  
  - Reflects the demographic of the children and young people in detention, including culture, diversity and lived experience.
-

## Staffing and rostering

Decisions about appropriate numbers of staff to children or young people will take the purpose, the outcomes focus, the operating philosophy, the physical layout and the physical, procedural and relational safety of day-to-day operations into account. In order that children and young people experience physically and emotionally safe therapeutic care, where relationship is key, it is vital that there is an adequate number of staff members working directly with the children and young people at any one time. This will enable staff to pay attention and respond to the complex, diverse and individual needs of young people and the group milieu. The MoC defines the staff as the key agents of change, and therefore there is a commitment to prioritising stability and familiarity, through resourcing the direct staffing capacity and capability. These staff will take on key worker roles for individual children and young people.

There will be a need to be flexible with staffing, to respond to changing needs and dynamics within the group, to maintain emotional and physical safety, and so that children and young people can engage in meaningful activity, with familiar adults. This may result in an increase in staff for a period of time. Other times it may be appropriate to decrease the number of staff. All decisions will be made based on safety, security and the needs of individual children or young people, and group dynamics.

The roster and daily routines will be developed to ensure that bedtimes are age appropriate for the individual children and young people and that they have the maximum amount of time out of their room. Other considerations for staffing include staff capability and experience, staff that children and young people are familiar with, inducting members of staff into the facility, coaching and mentoring, and times in the rhythms of the day that can require more individualised attention and activity.

Other factors contributing to staffing numbers will be the building design, with small and homelike houses, and the MoC focus on ensuring the individual needs of children and young people within a group setting, with access to family, culture and community experiences, services and opportunities. Bedroom doors will have the capacity to be locked in the interests of children and young people feeling safe, and waking night staff will be rostered in the numbers and with the skills to ensure safety for children and young people.

Rosters will be in place that promote safety and security for children, young people and staff. They will encourage relational practice and give staff the opportunities and conditions to build meaningful relationships with children and young people, and be attuned, through less harsh working hours and more continuous time off.

## **Staff qualifications, training and professional development**

The staff team will consist of a range of allied health professionals such as psychologists, occupational therapists, social workers, therapeutic specialists, cultural leaders and teachers. Additional staff on and offsite will include nurses, doctors, psychiatrists, dentists and other specific professions as required to meet the individual's identified needs. Staff recruited to the youth worker or 'direct worker' role will hold a minimum relevant Certificate IV qualification before starting or complete such a qualification within a year of starting, and have appropriate attributes, attitudes and skills to build positive relationships and work therapeutically with children and young people in youth detention.

All staff will be equipped and supported to meet the individual and group needs of children and young people, in a way that is safe for all, promotes consistency and facilitates care and rehabilitation. Staff will be provided with the training and ongoing professional development to continuously develop and reinforce their practice, knowledge and skills. These training areas will include topics such as working with Aboriginal children and young people, disability, mental health and diversity, alongside induction and core training, coaching, supervision and reflective practice, and professional development opportunities.

Staff will be provided with a pathway for gaining further professional qualifications and advancing their career. This will include tertiary higher-level qualifications and external

courses that grow their interests and strengths and align to their development goals and the objectives of the service. Each staff member will be supported to identify their areas for development, set development goals and be supported by senior staff to achieve these. Staff will be supported to advance their career within youth justice settings and the sector.

The environment will enable supervision and reflective practice through debriefs, practice reviews, and individual and group supervision, facilitated by experienced highly skilled relational practitioners. A culture of staff wellbeing will be enhanced through leadership, wellbeing services including wellness checks, programs focusing on self-care, dedicated positions to support staff wellbeing and external providers.

# Governance

## ***Governance that supports a learning organisation, quality assurance and continuous improvement***

All forms of care and custodial support will be integrated within a structure that ensures all care types can be coordinated, integrated, therapeutic and safe. The new facility will be required to be led by an Executive Director and the Director for Custodial Youth Justice Services who leads service delivery and operations for detention.

Governance will be required to have a focus on education, practice, oversight of programs and partnerships (including ensuring compliance and accountability of providers), health and cultural safety, with Aboriginal representation and the inclusion of an Aboriginal advisory group. Representation from those with lived experience will be required. Representatives from the wider community will also be sought. Governance will focus on the numerous supporting and inter-related elements necessary to achieve a rights-based trauma transformative environment and will ensure these are embedded across all settings, including leadership.

# Monitoring, reporting and evaluation

## ***A strong focus on oversight, quality assurance, evaluation, reporting and continuous improvement***

The service will have the embedded ethos of a learning organisation, that is, there will be a strong focus on quality assurance, evaluation and continuous improvement. Systems and processes, both internal and external, will be valued as opportunities to learn, grow and develop. The Commissioner for Children and Young People, Office of the Independent Regulator, the Custodial Inspector, the Ombudsman, the Independent Monitor and the Integrity Commission are mandated to provide external oversight of detention. Opportunities for engagement with the oversight bodies are welcomed and findings and recommendations of evaluation and monitoring are seen as opportunities for growth and improvement as the service strives for excellence.

The experiences of children, young people and families will be viewed as essential, and feedback and complaints processes will be child or young person and family friendly. A culture of rights, participation and empowerment will be embedded. This will include valuing the importance of the children and young

people's forum within detention as a key group and one of the mechanisms to provide input and influence the way their care in detention is experienced, including reviewing policies and procedures. Staff will be highly valued as a vital asset, and collaboration, participation and coordinated teamwork between staff, at all levels, is actively enabled.

Learning and knowledge sharing will be encouraged as a core part of the culture and operations. Learning and development will not be viewed as a one-time event but as an ongoing process, with knowledge and experiences actively shared. This culture of learning will extend to research being viewed as essential to develop understanding of practice and outcomes and to influence and inform improved service and system development and implementation.

The learning organisation culture strives to empower, grow and engage all staff in the shared goal of providing a secure, relational and child-centred environment that focuses on safety for all.

# Partnerships and programs

***Collaboration with government services, non-government organisations, Aboriginal community controlled organisations, families and communities to identify, develop and deliver strengths-based services, programs and experiences to support the wellbeing and rehabilitation of children and young people in detention***

## Partnerships

The children and young people in detention have a variety of needs that are often complex. In addition to working in partnership with the families of children and young people in detention, a broader range of partnerships are required with a number of government, non-government and community services to support care and rehabilitation.

Partnerships with families, carers and those important to the child or young person will be enhanced through ease of connection with, and inclusion in all aspects of, care and planning. Visits will be arranged with ease and regularity; they will take place in the family friendly, welcoming space. Assistance will be provided for families to get to and from the facility. Families will be supported and empowered to engage with collaborative care planning.

Effective partnerships across the sector will be crucial for the MoC to be effective, during the child or young person's detention and when transitioning. Therefore, engagement to establish collaborative ways of working together, unique and

shared areas of responsibility, and commissioning are viewed as critical. Partnerships with Aboriginal people, communities and organisations will be established to meet the needs of Aboriginal children and young people. Partnerships with a range of community agencies, services and businesses will provide opportunities for children and young people when they are in detention and when returning to community.

The partnership with Health to deliver the health model of care within the facility establishes clear roles, responsibilities and integrated responses with the facility. It is expected that this continued focus on partnerships with community health and wellbeing services will provide continuity of care and services beyond detention.

Partnerships will be developed through commissioning of programs and services to be delivered within the facility, with a focus on the ability to work within the service standards and relational, safety and child-centred approach. Partnership agreements, key performance measures and evaluation arrangements would be designed in alignment with the service standards. The facility will work with these to develop schedules and processes to review what is working and what can be improved. Additional commissioning with community-based services will focus on community opportunities to meet individual needs and aspirations and continuity of service provision so that children and young people can have ongoing access or develop new connections to community services.

Children and young people will be supported to develop pathways to work and life outside the facility, through partnerships with community based vocational learning programs and employment opportunities that foster practical skills, qualifications and evidence of achievement documentation.

## **Programs**

The Programs Governance Board will include representatives from youth justice, and expertise in clinical services, Aboriginal culture, disability, LGBTIQ(A)(SB)+, empowerment and participation, and education delivery. Programs will be selected based on design and delivery criteria to be determined by the Programs Governance Board and reviewed and evaluated to determine effectiveness and relevance through a range of mechanisms, including the voices of children, young people, families and staff.

Programs delivered within detention will be planned and structured, with clearly defined aims and outcomes focused on learning, development and behaviour change in children and young people. Programs will be targeted to meet individual needs and address specific behaviour. Programs designed to meet criminogenic needs, that is reduce the likelihood of reoffending behaviour, will focus on the drivers of

criminal behaviour. The strengths-based Good Lives Model will be adopted. Program deliverers will be part of the multidisciplinary team that surrounds the child or young person, and/or a facilitator best fit to the child or young person's culture or identity. Those staff working directly with the child or young person will engage with the program content and delivery. In addition to addressing offending behaviour, programs will support social and emotional wellbeing; develop education, vocational and life skills; and strengthen connection with family, culture and community. Children and young people will have access to culturally relevant programs delivered by, or in partnership with, Aboriginal people and organisations. Where safely possible, programs will be delivered in the community and/or on Country.

All programs will be aligned to the operating philosophy. They will provide cultural security, be informed by theory, evidence and Indigenous cultural knowledge, be disability and developmentally responsive and risk assessed. Programs will be reviewed and evaluated, including with the voices of participants, to ensure effectiveness and continuing relevance for participants.

# Infrastructure

## ***Infrastructure that creates a safe, therapeutic environment and ensures the ongoing maintenance and sustainability of the facility***

The design of the facility and the MoC have been largely developed in parallel, with the built environment being guided by the MoC to provide a therapeutic environment that supports the health and wellbeing of children and young people within the facility. This process will continue as remaining key design decisions are made.

While the new facility is designed to provide secure, custodial care, the design aims to create a normalised environment. The facility will have a non-institutional feel and comprise individual buildings and small and home-like houses accommodating up to four children and young people.

A 'building as perimeter' model has been adopted. This means views from within the buildings and houses will have clear sight lines to the surrounding rural land and the hills forming the valley in which it sits.

The large site (~32ha) allows the facility to sit approximately 150m away from surrounding neighbours and the highway. It is expected that the open space around the facility will continue to be used as horse grazing land. This provides further opportunity for windows from the facility to look directly out to the landscape.

Parts of the facility that are designed to assist in the rehabilitation of children and young people include:

- Spaces to interact with nature to improve health and wellbeing
- Rooms with access to natural light and views of the surrounding landscape
- Cultural spaces to support children and young people to feel safe and empowered to explore, express and share their culture
- Spaces that support children and young people to have normalised daily routines and that enhance relational safety.

Systems, processes and procedures will be developed for the ongoing maintenance and sustainability of the facility to ensure that it continues to provide a safe and effective environment that meets the wellbeing needs of children, young people, families and staff.

# Technology

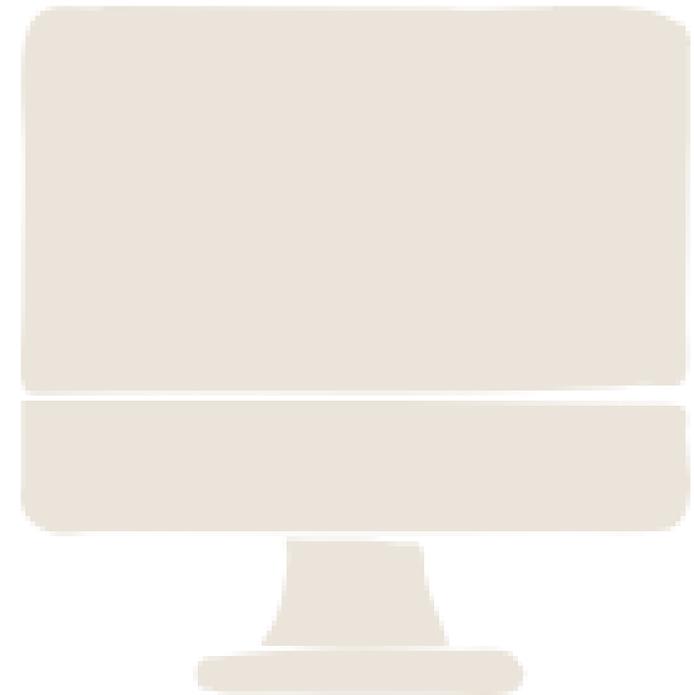
***Digital enablers, including security, systems and databases, data business rules, electronic daily log, recording and reporting templates***

Robust systems and infrastructure are essential to the successful implementation, maintenance and sustainability of the environment and the MoC. This includes the need for digital enablers, security infrastructure, client relationship management system, data business rules, electronic daily log and internal auditing.

Recording and reporting templates and tools are required to be developed so that they reflect the MoC and support consistent, transparent processes.

Virtual engagement, enabled by adequate and appropriate technology systems, will support children, young people and families to safely and privately access services, such as legal support, health and mental health services, and other services when in-person engagement is not possible.

While outside the scope of the MoC wider system services, resources and responses will be vital for the successful delivery of the service within detention and in community.



# 10. Appendix

## Appendix 1 – Legislation and obligations

The Model of Care is informed by legislation, policy and international frameworks. Key instruments include Tasmania's *Youth Justice Act 1997* (Youth Justice Act), which regulates youth justice detention in Tasmania and sets principles such as detention as a last resort, and the *Child and Youth Safe Organisations Act 2023* (Tas), which establishes 10 standards that promote the safety and wellbeing of children and young people and ensure organisations that engage with them embed strategies in day-to-day practice.

Currently in Tasmania, children and young people aged 10 years or older can be charged with a criminal offence under the *Criminal Code Act 1924* (Tas). The Youth Justice Act governs the process for managing a child or young person who has committed or suspected of having committed a criminal offence. It defines a 'youth' as a person who is 10 or more years old but less than 18 years old at the time when an offence occurred.<sup>56</sup>

The general principles in the Youth Justice Act, which provide guidance on how decision-makers should interpret and apply the Act, state that detention in custody should only be used as a last resort and for as short a time as is necessary.<sup>57</sup>

The Youth Justice Act also contains specific provisions relating to the establishment and management of detention centres, the admission process, the treatment of detainees, and complaints process.<sup>58</sup> The Act includes a section on the 'rights of detainee', which includes an entitlement for a detained child or young person to have his or her development needs catered for; to receive visits from family, guardians, legal representatives and the Aboriginal Legal Service for Aboriginal children and young people; to have reasonable efforts made to meet his or her medical, religious and cultural needs, including needs as a member of the Aboriginal community; and to complain to the Secretary or Ombudsman about the standard of care, accommodation or treatment received in detention.<sup>59</sup> The Act also contains protections for a child or young person in detention in relation to searches, isolation, use of force, corporal punishment, intimidation or humiliation, physical or emotional abuse and discriminatory treatment.<sup>60</sup>

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<sup>56</sup> *Youth Justice Act 1997* (Tas), s3(1)

<sup>57</sup> *Youth Justice Act 1997* (Tas), s5(1)(g)

<sup>58</sup> *Youth Justice Act 1997* (Tas), Part 6

<sup>59</sup> *Youth Justice Act 1997* (Tas), s129

<sup>60</sup> *Youth Justice Act 1997* (Tas), Division 3 and ss132-133

The Youth Justice Act is currently under review. The review will embed a public health, rights-based, developmentally appropriate, trauma-informed and integrated approach to youth justice legislation.

### **International frameworks and obligations**

Youth detention centres are also subject to legal and normative obligations established under international instruments.

The United Nations Convention on the Rights of the Child (CRC) is the key international human rights treaty for children and young people. It sets the minimum standards for children and young people outlined in 54 provisions, known as 'Articles'. Australia ratified the CRC in 1990, creating a binding legal obligation to protect, respect and fulfil the rights contained in the treaty.<sup>61</sup>

As it relates to detention, the rights in the CRC have been categorised as falling into five broad 'P' groups – Provision (basic needs should be met and detention must provide for rights to development, education and health); Protection (children and young people must be protected from harm while in detention); Participation (the child and young person has the right to express their views in matters affecting them and participate in decision-making); Preparation (the needs of

the child should be met so they can successfully prepare for reintroduction to the community); and Partnership (acknowledging the role of the child's family and multidisciplinary and integrated support).<sup>62</sup>

The CRC contains two specific Articles that relate to children and young people in the youth justice system – Articles 37 and 40. These provisions collectively require that children be detained as a last resort and for the shortest appropriate time, that children be treated with humanity and respect, be kept separate from adults (unless in their best interests), maintain contact with family, have prompt access to legal assistance, and their sense of dignity and worth be promoted. The Committee tasked with monitoring implementation of the CRC has also issued specific guidance on the implementation of the Convention in the context of child justice.<sup>63</sup>

There are a number of other binding conventions relevant to youth detention, including the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, and its Optional Protocol (known as 'OPCAT'), which establishes detention oversight mechanisms such as the National Preventive Mechanism (described in more detail

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<sup>61</sup> Convention on the Rights of the Child, opened for signature 20 November 1989, 1577 UNTS 171 (entered into force 2 September 1990). Australia ratified the Convention on 17 December 1990. See also, United Nations Committee on the Rights of the Child (2003) *General Comment No. 5, General Measures of Implementation of the Convention on the Rights of the Child*, CR C/GC/2003/5. Four guiding principles of the CRC have been identified by the Committee tasked with monitoring implementation of the Convention. These are the rights of the child to non-discrimination (Article 2), to have their best interests as a primary consideration in all actions that affect them (Article 3), the right to life, survival and

development (Article 6) and the right to have their views heard and taken into account in decisions that affect them (Article 12).

<sup>62</sup> Kilkelly, Ursula & Bergin, 2021

<sup>63</sup> UN Committee on the Rights of the Child, (2019), *General Comment No. 24 on Children's Rights in the Child Justice System*, CRC/C/GC/24

below), and the Convention on the Rights of Persons with Disabilities.<sup>64</sup>

There are United Nations Rules which, while not binding, establish international normative standards by which children and young people in detention should be treated. These include the UN Standard Minimum Rules for the Administration of Juvenile Justice ('Beijing Rules'); UN Guidelines for the Prevention of Juvenile Delinquency ('Riyadh Guidelines'), and UN Rules for the Protection of Juveniles Deprived of their Liberty ('Havana Rules').<sup>65</sup>

Relevant to the detention of Aboriginal children and young people, Australia endorsed the UN Declaration on the Rights of Indigenous People (known as UNDRIP) in 2009, which provides a universal framework of minimum standards for the survival, dignity and wellbeing of the Indigenous peoples of the world, including principles of self-determination.<sup>66</sup>

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<sup>64</sup> Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, opened for signature 10 December 1984, 1465 UNTS 85 (entered into force 26 June 1987); Optional Protocol to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment, GA Res 57/199, UN Doc A/RES/57/199 (22 June 2006, adopted 18 December 2002); Convention on the Rights of Persons with Disabilities, opened for signature 13 December 2006, 2515 UNTS 3 (entered into force 3 May 2008)

<sup>65</sup> UN Standard Minimum Rules for Administration of Juvenile Justice, GA Res 40/33, UN Doc A/RES/40/33 (29 November 1985); UN Guidelines for the Prevention of Juvenile Delinquency, GA Res 45/112, UN Doc A/RES/45/112 (28 March 1991, adopted 14 December 1990); UN Rules for the Protection of Juveniles Deprived of their Liberty, GA Res 45/113, UN Doc A/RES/45/113 (2 April 1991, adopted 14 December 1990)

## National and state-based standards relevant to youth detention

As well as international laws and standards, there are national and state-based standards that are relevant to youth detention in Tasmania.

These include the Australasian Youth Justice Administrators 'National Standards for Youth Justice 2023' which establish the 'aspirational standards of practice' for child-centred youth justice services in Australia, with domain 11 'safety and security' focusing on detention. This includes standards such as ensuring custodial environments are therapeutic, safe and secure; and deployment of least intrusive, developmentally appropriate options in responding to security and safety risk.<sup>67</sup>

The Australian Children's Commissioners and Guardians also released a position statement on conditions and treatment in youth justice detention in 2017 that provides 13 principles for the conditions and treatment in youth justice detention centres to be applied by state and territory governments.<sup>68</sup>

The Tasmanian National Preventive Mechanism (NPM) is established as a monitoring body to meet Australia's

<sup>66</sup> UN Declaration on the Rights of Indigenous Peoples, GA Res 61/295, UN Doc A/RES/61/295 (2 October 2007, adopted 13 September 2007)

<sup>67</sup> Australian Youth Justice Administrators, *Launch of the Revised AYJA National Standards for Youth Justice in Australia*, 16 October 2023, website < [LAUNCH of the Revised AYJA National Standards for Youth Justice in Australia – 16 October 2023 – Australasian Youth Justice Administrators](#)>

<sup>68</sup> Australian Children's Commissioners and Guardians, 'Statement on Conditions in Youth Justice Detention', November 2017. < [ACCG YouthJusticePositionStatement\\_24Nov2017.pdf](#)>.

requirements under the OPCAT. The Tasmanian NPM has established specific expectations on the treatment of children and young people deprived of their liberty. These expectations include material conditions such as living conditions; procedural safeguards; voice and participation; access to health care; contact with the outside world; equity, diversity and non-discrimination; safety and restrictive practices; case management and life in detention; governance and leadership; resources, staff skills and knowledge; induction; safety; and reintegration into the community.

## Government agreed commitments

The Tasmanian Government has committed to implementing a range of reforms specific to youth justice that will impact upon the new model facility.

The Youth Justice Blueprint outlines the strategic direction for Tasmania's youth justice system for the next 10 years and includes a commitment to adopting a child-centred and rights-based approach to children and young people in conflict with the law. The blueprint refers to developmentally appropriate options to detention and intensive intervention and rehabilitation to ensure effective transition back into the community.<sup>69</sup>

The Commission of Inquiry Final Report contains<sup>39</sup> recommendations specific to youth detention as part of its

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<sup>69</sup> Tasmanian Government, Department for Education, Children and Young People, 2023

inquiry into the Tasmanian Government's responses to allegations and incidents of child sexual abuse in institutional contexts. This includes recommendations, such as Recommendation 12.18 detailed below, that are aimed at creating a child-focused youth detention system.

The Youth Justice Model of Care aligns with both the Commission of Inquiry Recommendations and the Youth Justice Blueprint and provides a framework for therapeutic, trauma-informed, timely and culturally safe service delivery to reduce children and young people's involvement in the youth justice system.<sup>70</sup>

The Disability Royal Commission contains three recommendations in relation to children with disability in youth detention, regarding the prohibition on solitary confinement in youth detention; screening and assessment for disability; and disability training for staff in youth detention.

The Tasmanian Government is also a signatory to the National Closing the Gap Agreement to overcome the inequality experienced by Aboriginal peoples and achieve life outcomes equal to all Australians. Target 11 states that, by 2031, there should be 30% reduction in the rate of Aboriginal young people (10-17 years) in detention to ensure they are not over-represented in the criminal justice system.

<sup>70</sup> Tasmanian Government, Department of Premier and Cabinet, Youth Justice Reform Taskforce, 2024

## Appendix 2 – Youth Justice Service Continuum Text Description

The Youth Justice Service Continuum has three main parts:

- Prevention and early intervention
- Diversion
- Criminal justice response

Included in the continuum are the following resources:

- Youth Justice Blueprint 2024-2034: Strategic plan for the youth justice service continuum
- Youth Justice Model of Care: Overarching operating philosophy for youth justice services in Tasmania

Under the "Prevention and early intervention" column are:

- Practice frameworks,
- Operational models

- and Policies and procedures

Under the "Diversion" column are the:

- Youth Justice Diversionary Services Framework: Expectation of diversionary Services,
- Practice frameworks,
- Operational models
- and Policies and procedures

Under the "Criminal Justice Response" column are:

- Tasmanian Youth Justice Facility: Model of Care
- Practice standards
- Operational Framework
- Policies and Procedures

Across all these areas is cultural safety (notably Aboriginal cultural safety), which involves the Tasmanian Aboriginal Youth Justice Strategy.

## Appendix 3 – Model of Care Text Description

### Relational pathway

- How we will support children and young people, from arrival to leaving

### Vision

#### To enable:

- An environment where children and young people experience the highest standards of child-centred, rights-based therapeutic care and education, services and opportunities, supporting them to enhance connections and return and remain successfully in the community

### Purpose

#### To provide:

- A safe, secure and rehabilitative facility for children and young people where healing and wellbeing is the primary focus
- An environment where children and young people are supported to understand and address their offending behaviour to prevent reoffending and enable their successful return to the community
- An environment where children, young people, staff and visitors feel safe and supported
- The community with confidence that children and young people in detention are in a safe, purpose-built facility

that provides a high standard of care and rehabilitation support

### Practice Standards

- Child-centred and rights-based
- Enduring connections
- Culturally safe and connected
- Safety and wellbeing of children and young people
- Therapeutic and trauma transformative
- Staff support and wellbeing
- Continuity and throughcare

### Organisational framework

- People and Workforce
- Governance
- Monitoring, reporting and evaluation
- Partnerships and programs
- Technology
- Infrastructure

### Image alt-text

An image shows an illustration of a small group of people holding onto or thinking about healthcare, love, culture and the Law. Rectangles representing buildings and sketches of plants and trees can be seen. Throughout the image are the following words:

- Care
- Health
- Education
- Culture
- Offending behaviour

## Appendix 4 – Next Steps text description

Feedback provided in this consultation process will be used to inform the following elements of the project:

- Model of Care (final)
- Partnerships, Programs and Services Strategy
- Practice Framework
- Workforce Strategy
- Training and Induction Program
- Operational Commissioning Strategy
- Policies, procedures and practice at the new facility.

Start:

### Research

Synthesised insights from shared experiences, voices, care system literature & reports

### Draft

Model of Care developed for public consultation

### Test

February – March 2026

Draft Model of Care tested with key stakeholders

### Learn

April – May 2026

Analysis of all feedback received through submissions, surveys, workshops and face to face meetings

### Write

Mid 2026

Finalise and release the Model of Care for the new Tasmanian Youth Justice Facility

End.

## Appendix 5 – An example day text description

### Morning

Wake up set time

### Breakfast

Chooses, makes and eats breakfast alongside key worker

### Group program

Participates in addressing offending behaviour group program

### School

Attends school

### Transition care planning meeting

Meets with care planner, key worker and family

### Family visits

Has a planned visit with parent and sibling

### Meets with local business to plan work experience

### Dinner preparation

Parent and sibling still at the centre so they cook and eat dinner together

### Project Leisure time

Meets with peers and staff to complete veg garden prep and play basketball

### Down time – cultural reflection

Spends time with peers and cultural advisor in the centre's cultural reflection space before bedtime

There are 4 stakeholders:

#### ***Child/Young Person***

- Feeling safe, supported, empowered and given agency to make decisions, lead and reach collaborative goals

#### ***Professional Support***

- External & internal professional engagement and support

#### ***Key Worker(s)***

- Relational, safe care, guidance and support

#### ***Partnerships with family, carers, & those important to the child or young person***

- Supported, empowered and enabled to engage and contribute to planning and journey



Right – this image (the Connection value icon)  
illustrated by Tanya Harper

