COPP 7.1 Female Detainees

Banksia Hill Youth Detention Centre

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| Principles In the context of the following:  Australasian Youth Justice Administrators [Standards](https://dojwa.sharepoint.com/sites/intranet/department/standards/Pages/ops-standards.aspx) 2009:  Individual detainees are managed and supervised in a manner that responds to their particular risk and needs, including the impacts of victimisation and trauma.  Detainees are assessed and allocated to accommodation compatible with their assessed risks and needs to ensure their safety and security and the good order of Banksia Hill Detention Centre.  Health care provided for females in custody is gender appropriate, emphasising underlying determinants of health unique to females including reproductive and sexual health; and facilitating access to counselling services for victims of violence. |

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# Scope

This Commissioner’s Operating Policy and Procedure (COPP) applies to all Banksia Hill Youth Detention Centre (BHYDC) Custodial Officers and staff.

# Policy

The purpose of this document is to establish clear and consistent practices when working with female detainees.

Some people may identify with a gender different to that they were assigned at birth. Where a Trans or gender diverse detainee identifies as female this COPP is to be read in conjunction with [COPP 7.5 – Trans, Gender Diverse and Intersex.](https://dojwa.sharepoint.com/sites/intranet/prison-operations/Pages/bhdc-copps.aspx)

The female unit at BHYDC will operate on the principles of a trauma informed approach.

BHYDC will promote positive re-entry into the community by supporting female detainees to build and maintain relationships with family and significant others.

The management of female detainees shall occur in a manner that is sensitive and appropriate to their individual needs, and treats the detainee with dignity, humanity, respect, with due consideration to cultural and religious requirements.

The gender specific and developmental needs of female detainees should be recognised and access to an equal range of services including education, vocational training, skill development, employment opportunities, health, programs and recreational activities shall be made available.

The management of female detainees is governed by a rigorous recording and reporting regime which provides transparency and accountability.

# General Requirements

## Reception and admission

### Detainees should be transitioned through the admission process promptly and then transferred to the Yeeda Unit or Cue Unit for observation if required.

### During the admission process, detainees shall participate in a preliminary assessment which may identify a need for assistance in one of the following areas:

1. general health
2. mental health
3. diagnosed intellectual or cognitive disability
4. substance misuse
5. childcare
6. pregnancy
7. family issues.

### After the initial induction and transfer to the Yeeda Unit, detainees shall be provided with more detailed information via a site orientation refer to [COPP 5.1 – Orientation](https://dojwa.sharepoint.com/sites/intranet/prison-operations/Pages/bhdc-copps.aspx). The site orientation is completed by the Yeeda Unit Manager within 5 days of being admitted.

### Unit orientation shall be arranged by the Unit Manager and occur within 72 hours of the detainee being transferred into general living within the Yeeda Unit.

## Supervision of female detainees

### The placement of female detainees is in accordance with [COPP 2.3 – Placements](https://dojwa.sharepoint.com/sites/intranet/prison-operations/Pages/bhdc-copps.aspx).

### Custodial Officers working with female detainees shall at no time, except in an emergency, enter a female detainee’s cell when occupied, unless accompanied by another Custodial Officer.

### A Custodial Officer entering a cell in an emergency must advise the Senior Officer Operations by radio of their intention to do so.

### Where a detainee is on a unit based Personal Support Plan please refer to [BHYDC COPP 7.6 – Personal Support Plans](https://dojwa.sharepoint.com/sites/intranet/prison-operations/Pages/bhdc-copps.aspx).

### Female detainees shall always be supervised whilst moving around BHYDC, by a staff member or approved contractor employed to work with detainees.

### For association of male and female detainees refer to [COPP 2.3 – Placements](https://dojwa.sharepoint.com/sites/intranet/prison-operations/Pages/bhdc-copps.aspx)

## Pregnant detainees

### Custodial Officers shall check the Total Offender Management Solution (TOMS) ‘Medical Status’ to confirm a detainee’s pregnancy.

### For management of a pregnant detainee refer to [BHYDC COPP 7.2 – Pregnant Detainees](https://dojwa.sharepoint.com/sites/intranet/prison-operations/Pages/bhdc-copps.aspx).

## Searches

### Searches of female detainees will be carried out in accordance with [BHYDC COPP 9.6 – Searching](https://dojwa.sharepoint.com/sites/intranet/prison-operations/Pages/bhdc-copps.aspx).

## Use of force

### Custodial Officers shall ensure the use of force and the application of restraints is carried out in accordance with [COPP 8.2 – Use of Force and Restraints](https://dojwa.sharepoint.com/sites/intranet/prison-operations/Pages/bhdc-copps.aspx) (Restricted Access).

## Escorts

### Escorts of female detainees will be carried out in accordance with [COPP 10.1 – Scheduling Escorts](https://dojwa.sharepoint.com/sites/intranet/prison-operations/Pages/bhdc-copps.aspx) (Restricted Access) and [COPP 10.2 – External Detainee Escorts (Restricted Access).](https://dojwa.sharepoint.com/sites/intranet/prison-operations/Pages/bhdc-copps.aspx)

## Health

### Access to Health Services and the issue of medication to female detainees will be carried out in accordance with [COPP 3.1 – Access to Health Services](https://dojwa.sharepoint.com/sites/intranet/prison-operations/Pages/bhdc-copps.aspx) and [COPP 3.2 – Issue of Medication by Custodial Officers](https://dojwa.sharepoint.com/sites/intranet/prison-operations/Pages/bhdc-copps.aspx).

# Annexures

## Related COPPs

* [COPP 2.3 – Placements](https://dojwa.sharepoint.com/sites/intranet/prison-operations/Pages/bhdc-copps.aspx)
* [COPP 3.1 – Access to Health Services](https://dojwa.sharepoint.com/sites/intranet/prison-operations/Pages/bhdc-copps.aspx)
* [COPP 3.2 – Issue of Medication by Custodial Officers](https://dojwa.sharepoint.com/sites/intranet/prison-operations/Pages/bhdc-copps.aspx)
* [COPP 5.1 – Orientation](https://dojwa.sharepoint.com/sites/intranet/prison-operations/Pages/bhdc-copps.aspx)
* [COPP 6.3 – Behaviour Management](https://dojwa.sharepoint.com/sites/intranet/prison-operations/Pages/bhdc-copps.aspx)
* [BHYDC COPP 7.2 – Pregnant Detainees](https://dojwa.sharepoint.com/sites/intranet/prison-operations/Pages/bhdc-copps.aspx)
* [COPP 7.5 – Trans, Gender Diverse and Intersex](https://dojwa.sharepoint.com/sites/intranet/prison-operations/Pages/bhdc-copps.aspx)
* [BHYDC COPP 7.6 – Personal Support Plans](https://dojwa.sharepoint.com/sites/intranet/prison-operations/Pages/bhdc-copps.aspx)
* [COPP 8.2 – Use of Force and Restraints](https://dojwa.sharepoint.com/sites/intranet/prison-operations/Pages/bhdc-copps.aspx)
* [BHYDC COPP 9.6 – Searching](https://dojwa.sharepoint.com/sites/intranet/prison-operations/Pages/bhdc-copps.aspx)
* [COPP 10.1 – Scheduling Escorts](https://dojwa.sharepoint.com/sites/intranet/prison-operations/Pages/bhdc-copps.aspx)
* [COPP 10.2 – External Detainee Escorts](https://dojwa.sharepoint.com/sites/intranet/prison-operations/Pages/bhdc-copps.aspx)

## Definitions and acronyms

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| Term | Definition |
| Commissioner’s Operating Policy and Procedures (COPP) | Operational Instruments that provide instructions to staff how the relevant legislative requirements are implemented. |
| Cue Unit | A smaller unit of the Yeeda Unit that provides a higher level of care and support for female detainees within Banksia Hill Detention Centre than standard accommodation units. |
| Custodial Officer | An officer with custodial functions, appointed under section 11(1) of the *Young Offenders Act 1994*; or a person who is appointed under section 11(1a)(a) as a custodial officer. This includes but is not limited to Youth Custodial Officers, Unit Managers and Senior Officers. |
| Detainee | A person who is detained in a detention centre as defined in section 3 of the *Young Offenders Act 1994*. |
| Officers and Employees of Particular Classes | The following descriptions of classes of officers and employees are prescribed for the purpose of section 11(1a)(b) of the *Young Offenders Act 1994*, in regulation 49(2) of the *Young Offenders Regulations 1995*:  a) Medical staff persons who have undergone medical, nursing or health training and hold qualifications indicating successful completion of that training.  b) Teaching staff persons who provide recreation or sports supervision, teachers, vocational trainers and social trainers.  c) Program support staff counsellors, program facilitators and librarians.  d) Centre support staff cleaning staff, laundry staff, gardening staff, vehicle driving staff, maintenance staff and hairdressers. |
| Senior Officer | A Youth Custodial Officer who is substantive to this rank, or a Unit Manager, or Youth Custodial Officer acting in the capacity of Senior Officer, appointed by the Chief Executive Officer with reference to section 11 of the *Young Offenders Act 1994* |
| Staff | Any person or officer of the Department of Justice, including a Public Service Officer, Youth Custodial Officer or an employee of a particular class; and any contractor who provides services to the Department of Justice. |
| Total Offender Management Solution (TOMS) | The computer application used by the Department of Justice for the management of prisoners and detainees in custody. |
| Unit Manager | A Youth Custodial Officer substantive to this rank or Youth Custodial Officer acting in the capacity of Unit Manager, appointed by the Chief Executive Officer with reference to section 11 of the *Young Offenders Act 1994*. |
| Yeeda Unit | Separate accommodation area for female detainees within Banksia Hill Detention Centre. |
| Youth Detention Centre | A gazetted detention centre declared by the Minister to be a detention centre to accommodate male and female, remanded or sentenced detainees. Refer to section 13 of *Young Offenders Act 1994.* |

## Related legislation

* *Young Offenders Act 1994*
* *Young Offenders Regulations 1995*

# Assurance

It is expected that:

* BHYDC will undertake local compliance in accordance with the [Compliance Manual](https://dojwa.sharepoint.com/search/Pages/results.aspx?k=operational%20compliance&ql=3081).
* Women and Young People, Corrective Services, will undertake management oversight as required.
* Operational Compliance Branch will undertake checks in accordance with the [Operational Compliance Framework.](https://dojwa.sharepoint.com/search/Pages/results.aspx?k=operational%20compliance&ql=3081)
* Independent oversight will be undertaken as required.

# Document Version History

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| --- | --- | --- | --- | --- |
| Version no | Primary author(s) | Description of version | Date completed | Effective date |
| 1.0 | Operating Standards and Procedures | Approved by the Director Operational Projects, Policy Compliance and Contracts | 13 May 2021 | 03 May 2021 |
| 2.0 | Operational Policy | Approved by the Director Operational Policy Compliance and Contracts  D23/680398 | 27 June 2023 | 27 June 2023 |
| 3.0 | Operational Policy | Approved by the Director Operational Policy Compliance and Contracts  D23/705425 | 29 June 2023 | 03 July 2023 |
| 4.0 | Operational Policy  Memo Reference:  D23/940474  Content Manager Reference:  S23/99503 | Endorsed by the  A/ Assistant Commissioner Women and Young People | 9 November 2023 | 18 December 2023 |
| Approved by the Deputy Commissioner  Operational Support | 15 November 2023 |