Youth Custodial Rule 6 – Withdrawing Privileges

Banksia Hill Detention Centre

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|  | As delegated by the Chief Executive Officer of the Department of Justice, this rule is made by the Commissioner of Corrective Services, pursuant to section 181 (1) of the *Young Offenders Act 1994* | | | |  |
|  | | |  | 8 December 2021 | |
|  | Michael Reynolds **Commissioner, Corrective Services** | Signature |  | Date |  |
|  | | | | | |
|  | Rule approved by the Minister for Corrective Services pursuant to section 181 (1) of the *Young Offenders Act 1994* | | | |  |
| A picture containing text  Description automatically generated | | |  | 24 December 2021 | |
|  | Hon. Bill Johnston MLA  **Minister for Corrective Services** | Signature |  | Date |  |

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# Purpose

### This Rule provides for the circumstances in which an authorised officer may withdraw a privilege from a detainee at Banksia Hill Detention Centre (BHDC).

# Scope

### This Rule applies to Banksia Hill Detention Centre.

### This Rule applies to all custodial officers, persons employed by the Department of Justice (the Department) designated as custodial officers and senior administration staff at BHDC.

### This Rule will be operationalised via a Commissioner’s Operating Policy and Procedure which will outline the authorised officers and process by which authorised staff can withdraw detainee privileges.

# Circumstances to Withdraw Privileges

### Authorised officers may withdraw a privilege from a detainee at BHDC if they:

1. Do not obey all lawful instructions.
2. Do not participate in education, employment, programs and activities as made available to them.
3. Use alcohol or any other drugs that have not been lawfully prescribed.
4. Bully or threaten other detainees, staff or visitors.
5. Do not maintain a high standard of personal hygiene and keep their cell and living areas clean and tidy.
6. Buy, sell or swap any items of property with other detainees without permission from staff
7. Possess items not lawfully issued to them.
8. Steal or interfere with another detainee’s property.
9. Enter another detainee’s cell without the permission.

# Relevant Instruments and Other Documents

## Legislation

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

## Relevant COPPs

* [COPP 6.2 – Supervision Levels and Privileges](https://justus/intranet/prison-operations/Pages/bhdc-copps.aspx)

# Definitions

Terms used within this Rule are defined within the *Young Offenders Act 1994* and *Young Offenders Regulations 1995* and [COPP 6.2 – Supervision Levels and Privileges](https://justus/intranet/prison-operations/Pages/bhdc-copps.aspx) unless otherwise specified.

# Document version history

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| --- | --- | --- | --- |
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| 1.0 | Operational Policy | Approved by the Minister for Corrective Services and the Commissioner | 24 December 2021 |