



Secure Care Services for Young People

Fact sheet

The Department of Children and Families has been actively involved in the development of secure care services for young people in the Northern Territory. The development of Assessment and Treatment Services and Secure Care Facilities in Darwin Yirra House and Alice Springs Kwiernpe (Koy-um-pa) House will expand the current range of services available for young people with complex high risk patterns of behaviour who present a significant risk of harm to themselves or others. The services provide an assessment and therapeutic treatment and care option for a small number of young people.

The Houses provide young people with a safe and structured environment in which they can learn new skills and patterns of behaviour intended to improve their wellbeing, reduce their risk of harm, and enable them to step-down to a less restrictive care option in the future. Young people will only be admitted to secure care once all other treatment options have been exhausted.

A secure care legislative project is well advanced to develop the legislative framework required. The legislation will enable eligible young people to be involuntarily contained in an Approved Treatment Facility or Secure Care Facility to receive assessment, treatment intensive care and to enable the delivery of involuntary assessment, treatment and care in a secure setting. The service is available for a small group of children and young people who, because of their patterns of aggressive, irresponsible or high risk behaviour, are likely to cause serious harm to themselves or others and for whom all less restrictive approaches have failed.

The project is proceeding as follows:

Phase 1: Amend the *Mental Health and Related Services (MHARS) Act* for admission into an Approved Treatment Facility.

Phase 2: Amend the *Care and Protection of Children (CAPOC) Act* for admission of young people into an Approved Treatment Facility or Group House.

In August 2010, a series of workshops were held with government and non-government stakeholders. Feedback from these consultations has informed the development of the proposed legislative provisions that have been drafted into the Amendment Bills.

A copy of the August 2010 Consultation Paper can be downloaded here.

[Secure Care Consultation Paper \(Adobe PDF document - 142KB\)](#)



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Eligibility criteria for involuntary admission into an Assessment and Treatment Service (Short-Term) or Group Home (Medium Term)

The *Care and Protection of Children Act* will introduce new eligibility criteria to enable the involuntary containment of young people who present a significant risk of harm to themselves or others and who require assessment, treatment and care in either an Approved Treatment Facility or a Group House, or both.

The criteria are:

- (a) the young person is likely to cause serious harm to himself or herself or someone else because of their pattern of aggressive, irresponsible or high risk behaviour;
- (b) previous attempts to carry out an assessment of, or to provide any treatment and care to, the young person in relation to those patterns of behaviour have been unsuccessful;
- (c) the order will ensure the young person will receive an assessment and any related treatment and care for the long-term wellbeing of the young person;
- (d) a facility is available for the admission of the young person;
- (e) there is no less restrictive means to enable the young person to receive the assessment, treatment and care; and
- (f) the young person will be under the age of 18 years throughout the period of the order.

Approved Treatment Facility

This service creates two beds within both the Darwin and Alice Springs Hospitals that will allow a comprehensive clinical assessment to be undertaken that will inform the development of a therapeutic care plan for the young person. Immediate treatment required will also be commenced.

The Chief Executive, in submitting an application for a Therapeutic Assessment Order, must submit a therapeutic assessment plan that details any assessment and related treatment and care and details of a plan about the release on the young person when the order expires. Admissions will be time limited to an initial 14 days, and subject to the Court approving the need for continued admission, the order may be renewed for a further 14 days a total of 28 days. No further renewals are permissible.

Secure Care Group Homes

This service will provide up to eight beds in Darwin Yirra House and eight in Alice Springs Kwiyernepe, House that will allow young people to receive therapeutic interventions and care together with ongoing assessments as required. The aim of this service is to improve the well-



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being of the young person and enable them to reach and maintain a level of stability that will enable them to step down to a less restrictive care option. Admissions to this service can be for up to six months duration. Where the initial order is less than six months, there is provision for the order to be renewed provided the Court is satisfied the admission criteria are still met and the involuntary containment period does not exceed six months from the date the young person initially entered the Group Home.

The Chief Executive, in submitting an application for a Therapeutic Residential Order, must also submit a therapeutic care plan that details any assessment, treatment and care to be provided. This plan is also to focus on the young person's release on expiry of the order and continuing treatment and care required at that time.

Care Planning

As already identified, a therapeutic care plan and details of a plan about the release on the young person when the order expires must be submitted to the Court at the time of application for the order. The Chief Executive is required to submit a progress report against the young person's therapeutic care plan at three-month intervals of the order.

The Chief Executive may review and vary the plan at any time but is required to consult with the young person, each parent, the manager of the group home, the carer and any other person considered by the manager to have a direct and significant interest in the young person.

Legal Representation

A legal representative must be assigned for every young person who is the subject of an application, and for the duration of a therapeutic order. The legal representative will act in the best interests of the young person, present their views and wishes to the Court, make applications and submissions to the Court on behalf of the young person and lodge any appeal for the young person. The legal representative, along with the Chief Executive or a parent of a young person, may apply for a variation or revocation of the order during the period of the order.

Use of Restrictive Interventions

The *Care and Protection of Children Act* has existing provisions for the use of 'reasonable force' which will be adapted to allow the use of restraint, search and seizure of a young person in a Group Home setting. The use of reasonable force must be the option of last resort where all other less restrictive strategies to minimise escalation of behaviour have been applied and been unsuccessful. De-escalation approaches and techniques will be the primary response to

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escalating behaviour. Where restraint is to be used it must be discontinued as soon as it is safe to use a method of less restrictive practice. This will be one of the key elements of the staff training curriculum, and will be monitored.

In the event that a client absconds from a Group House, the Chief Executive may request a Police Officer to apprehend and return the young person to the Group House, provided there is no other way of apprehending the young person. The Police Officer may use reasonable force and assistance in carrying out these duties.

Absence from the Group Home

The manager of the Secure Care Facility may give approval for a young person to leave the Group Home while accompanied by a staff member or a person authorised by the manager for:

- medical care;
- education or training; or
- participation in arrangements of a social, recreational, vocational or transitional nature in accordance with the therapeutic care plan.

Independent Oversight

Young people admitted into a Secure Care service will be recognised as vulnerable young people under the *Care and Protection of Children Act* and therefore will be subject to all existing powers of the Children's Commissioner.

The Amendment Bill allows the Chief Executive to appoint one or more individuals to conduct a review of the Group Houses compliance with;

- the legislation whether sufficient information relating to young people's rights has been provided; and
- the standard of services provided.

These reviews will be undertaken on a point-in-time basis. Review authority must provide a report of their findings to the Chief Executive who must give a copy to the Children's Commissioner within seven days. Within 28 days the Chief Executive is required to prepare a response to the report including actions to be taken and provide a copy of that document to the Children's Commissioner.

Amendments to the legislation also require the Chief Executive to establish procedures for receiving and resolving complaints made by, or on behalf of young people within the Group Home.

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Information Sharing

All existing provisions for information sharing within the *Care and Protection of Children Act* will automatically apply.

Security of the Facility

Security will play a positive and supportive role within which service delivery can be safely managed and the privacy of people maintained. Security is categorised in three ways - Relational, Procedural and Physical.

Relational Security

Relational security is the formation of a therapeutic alliance between the staff and young people.

At the centre of relational security is:

- detailed knowledge of the young person;
- developing a relationship of trust with the young person;
- use of personal and professional skills to ensure appropriate client support client; and
- ongoing risk assessment.

Procedural Security

Procedural security is built on the implementation of set procedures and routines and includes:

- clear policy and procedures;
- managing internal security and key control;
- management of incidents;
- appropriate exercise of powers of de-escalation, restrains, search and seizure;
- restricted and prohibited items;
- escorted leave;
- managing absence without leave;
- medication management;
- management of visitors and contractors; and
- daily checks of fence lines, locks and fittings.

Physical Security

Physical security includes design features, equipment and technology operated by appropriately trained staff. The physical security system aims to be as unobtrusive as possible to protect the privacy and dignity of the young people. The features include:

- duress and alarm systems;
- electronic locking systems;
- observation panels for each room;
- fenced perimeter; and
- CCTV.



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Staffing

The Approved Treatment Facility will be staffed by the Mental Health Program of the Department of Health. The largest proportion of staff will be Nurses, complemented by Personal Care Assistants, Aboriginal Mental Health Workers and other support staff.

Yirra House and Kwiyernepe House for young people will be staffed by Department of Children and Families staff. The mix of staff will include youth workers, social workers and staff with psychological expertise.
