

Youth Justice Policy Determination 2.4: Use of Approved Restraints

1. Policy Purpose

- 1.1. The purpose of this policy is to establish guidelines for the appropriate use of approved restraints.

2. Authority / Responsibility

- 2.1. The Executive Leadership Group and Senior Managers have responsibility for ensuring that supervisors and employees understand and comply with this policy.
- 2.2. The authority for this Policy Determination is contained within section 155(3)(c) of the [Youth Justice Act](#) and Regulation 30 of the [Youth Justice Regulations](#).
- 2.3. The authority for the use of restraints on young people is contained within sections 151AB, 153, 155 and 158A of the [Youth Justice Act](#).
- 2.4. This policy applies to:
 - (1). All delegates of the Superintendent's powers under section 155 of the [Youth Justice Act](#) which includes Youth Justice Officers, Senior Youth Justice Officers, Team Leaders, the Assistant Manager Youth Justice Operations—Deputy Superintendent, Manager Youth Justice Operations—Superintendent; and
 - (2). All persons authorised by the superintendent pursuant to section 155 of the [Youth Justice Act](#).
- 2.5. The Manager Youth Justice Operations—Superintendent is responsible for management of this policy determination.

3. Policy Statement

- 3.1. Generally, an approved restraint should be used on a young person as a last resort.
- 3.2. The appropriate use of an approved restraint means using a restraint in the least restrictive or invasive way that is reasonable in the circumstances. It must also be for the minimum amount of time that is reasonable in the circumstances.
- 3.3. This determination establishes clear criteria for the appropriate use of approved restraints, ensuring that restraints are used in the approved manner and when deemed necessary by the person applying the restraints.
- 3.4. Restraints cannot be used for pain compliance.

4. Approved Restraints

- 4.1. The use of four point restraints, where a young person is restrained by both their arms and legs to another point or object, are prohibited.
- 4.2. The [Youth Justice Act](#) only authorises the use of the following restraints on a young person:
 - (1). Handcuffs;
 - (2). Ankle cuffs; and
 - (3). Escort Belt (or waist restraining belts).

Hand Cuffs

- 4.3. Where appropriate, hand cuffs should be applied in the front of the body.

If handcuffs are applied other than in front of the body, they should be removed and re-applied to the front of the body when safe to do so.

Escort Belt (or waist restraining belts)

- 4.4. Escort belts are the preferred use of restraint when escorting a young person both inside and outside of the detention centre.
- 4.5. The escort belt may be used in combination with handcuffs, where it is considered necessary to restrict a young person's hand and arm movement to a greater extent than allowed by the application of handcuffs or escort belt alone when escorting a young person within or outside of the detention centre.
- 4.6. An escort belt should not be used on a pregnant young person.

5. Use of Approved Restraints

- 5.1. Approved restraints may only be applied by:
 - (1). The Superintendent (or delegate); or
 - (2). Someone that the Superintendent (or delegate) authorises to apply an approved restraint.
- 5.2. Approved restraints may be applied by the Superintendent, their delegate or an authorised person where the person using the restraint believes on reasonable grounds that:
 - (1). The restraint is necessary to prevent an imminent risk of a young person inflicting self-harm, harm to another, or seriously damaging property; or
 - (2). The restraint is necessary to prevent the young person engaging in conduct that would:
 - (a) Endanger the safety of any person who is within the precincts of the detention centre; or
 - (b) Seriously threaten the security of the detention centre; or
 - (c) The young person is likely to attempt to escape.
- 5.3. Where the use of restraints relates to a young person who is identified as being at risk under [Policy Determination 5.1: Young People at Risk](#), that determination must be followed.
- 5.4. The restraint applied must be the most appropriate for the circumstances, given due consideration to:
 - (1). The purpose the restraint is being used for; and
 - (2). The circumstances giving rise to the decision to use a restraint.
- 5.5. Restraints must always be applied:
 - (1). As humanely as possible;
 - (2). With minimum discomfort to the young person; and
 - (3). For the minimum period of time necessary.

6. Authorisation for the use of Approved Restraints

Training

- 6.1. Restraints may only be applied by a person who has completed the approved operational safety training program and assessed as competent in the use of restraints, and that competency remains current.

Escorts

- 6.2. Restraints may be used when escorting a young person outside of the detention centre when the Superintendent (or their delegate) believes on reasonable grounds that there is a

reasonable risk of an attempted escape (e.g. previous attempted escape), based on a risk assessment.

- 6.3. If the risk assessment does not deem that restraints are required for the duration of an escort outside of the detention centre an approved restraint should be available during the escort in case the security situation changes.
- 6.4. During escorts, restraints must not be used to secure a young person to a vehicle or aircraft during transport, unless it is to ensure safety during medical treatment.

7. Observation of a Young Person in Restraints

- 7.1. A young person who is subject to restraints must be observed in person at all times. The only exception is where a young person is receiving medical treatment or assistance which does not allow for a person to be present.

8. Duration in Restraint

- 8.1. Restraints must only be applied for the minimum amount of time necessary.
- 8.2. An assessment about whether restraints are still required must include interaction with the young person to accurately re-assess the risk level and the wellbeing of the young person.
- 8.3. Officers must employ appropriate de-escalation techniques in an attempt to minimise the duration of the use of restraints in emergency situations.
- 8.4. Restraints must be removed from a young person immediately after the requirement for restraint has ceased.

9. Removing Restraints

- 9.1. As soon as it is safe and/or practical, restraints must be removed. The person removing the restraint must consider the safety of the young person, other young people and staff, along with the security of the detention centre.
- 9.2. Where restraints have been applied in response to an emergency situation and force was applied, the young person must have the opportunity to access to a medical assessment as soon as practicable following the resolution of the situation. Use of force is governed by [Policy Determination 2.5 Use of Force](#).
- 9.3. Young people who have been escorted under the use of restraints must be referred for medical assessment if there are concerns for their wellbeing.

10. Use of Restraints on a Pregnant Young Person

- 10.1. The use of restraints on a young person who is pregnant are governed by considerations for the health and safety of the young person and her unborn child.
- 10.2. When transporting a young person who is pregnant, restraints should not be used except when the Superintendent (or delegate) has completed a risk assessment and reasonably believes that there is a reasonable risk of attempted escape or harm to the young person or others and that these risks cannot be managed by other reasonable means.

11. Incident Reporting

- 11.1. Incident reporting must comply with [Policy Determination 2.3: Incident Management and Reporting](#).
- 11.2. The use of restraints must be recorded in the Use of Restraints Register

Legislative Basis and Related Documents

[Youth Justice Act](#)

[Youth Justice Regulations](#)

[Policy Determination 2.3: Incident Management and Reporting.](#)

[Policy Determination 2.5 Use of Force](#)

[Policy Determination 5.1: Young People at Risk](#)

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