

*Youth Justice Policy Determination 4.10:  
Addressing the Needs of Young People Charged  
or Convicted of a Sexual Offence*

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POLICY RESPONSIBILITY	Senior Director Youth Justice Operations	
IMPLEMENTATION RESPONSIBILITY	Manager Youth Programs - Superintendent	

*Document Control*

VERSION HISTORY	EFFECTIVE DATE	REASON FOR UPDATE
Version 1.0	May 2018	Deputy Chief Executive Officer Operations approval
NEXT REVIEW DATE	January 2020, or as directed prior to the scheduled review date.	

## Policy Purpose

This policy concerns therapeutic interventions with young people charged or convicted of a sexual offence while they are housed in a Youth Justice Detention facility, and their care post release. The interventions are aimed at bringing about changes in offenders' lives that reduce the risk of re-offending and enhance public protection.

The interventions form an integral part of a wider range of interventions provided through the Youth Justice System and by community-based agencies.

This Policy is to be implemented in conjunction with [Policy Determination 4.1 Case Management, Assessment and Throughcare Services](#) and further supported by the [Procedure Manual: Case Management, Assessment and Throughcare Services](#).

## Authority / Responsibility

The Executive Leadership Group and Senior Managers have responsibility for ensuring that supervisors and employees understand and comply with this policy.

This policy applies to all Territory Families staff and young people admitted into a detention centre.

## Policy Statement

Addressing the needs of young people charged or convicted of a sexual offence has two clear dimensions while they are housed in a Youth Justice facility – security and rehabilitation – and includes interventions to address offending behaviour. End-to-end management of young people in detention is essential to facilitate the treatment and rehabilitation of young people in detention through a combination of risk control and risk reduction measures including:

- Assessment of risk, needs and treatment suitability within the detention facility to assist in their appropriate case management;
- Assessment and advice regarding young people with complex needs who have been charged or convicted of a sexual offence, including young people who may be subject to an order under serious offender legislation;
- Delivery of a large range of best practice and innovative treatment programs for young people in detention charged or convicted of a sexual offence;
- Peer consultation with psychologists preparing pre-sentence assessments for sentencing authorities/courts and Parole Board reports to inform decisions for release of a young person; and
- Development of robust pre-release support plans identifying key community services which address the young person's ongoing treatment needs after they have been released from detention.

## Guiding Principles

Youth Justice Treatment Services (Treatment Services) will:

- Deliver an integrated end-to-end detention management system for young people charged or convicted of a sexual offence that facilitates their identification, management and rehabilitation;
- Ensure treatments for young people charged or convicted of a sexual offence are delivered by suitably qualified clinicians;
- Procure a suitably qualified Senior Clinician who, utilising approved actuarial tools and clinically guided professional judgement, will determine the assessment of risk of sexual re-offending of each young person charged or convicted of a sexual offence;
- Develop and deliver policies, programs and services for young people charged or convicted of a sexual offence that are informed by research and reflect a sound, evidence-based approach to risk management; and
- Develop effective partnerships with other justice-related or community agencies to support better supervision and risk management outcomes, including post release support and supervision.

## Assessment

The Senior Clinician conducts comprehensive or brief psychological assessments depending on the young person's identified needs, to assist in 'whole of sentence' case management planning for young people who have been charged or convicted of a sexual offence. The young person support plan recommendations are based on the assessed level of risk, treatment needs, and responsivity factors.

Assessment information is profiled in the Youth Level of Service-Case Management Inventory 2.0 (YLS/CMI) and written in the support plan. There may be consideration given to using a young person's previous YLS/CMI. This decision is reserved for the Senior Clinician. A YLS/CMI risk assessment, or other specialised assessment must take place prior to any program placement.

Territory Families psychologists, or external specialists and consultants, prepare assessments/reports for young people charged or convicted of a sexual offence – including Pre Sentence Reports for the court, and risk management or treatment suitability advice for young people charged or convicted of a sexual offence who may have received a community-based order or are on parole.

## Support Plans

Individual young people in detention will have coordinated support plans that integrate assessment, clinical intervention, specialist case management and transitional support.

Treatment Services will:

- Ensure that individual intervention Support Plans are developed for young people in detention subject to a post sentence order;
- Ensure intervention Support Plans provide young people in detention with continuity in their interventions, opportunities for rehabilitation and treatment and consistency in their case management;
- Ensure intervention intensity is proportionate to the offender's risk of re-offending; and
- Ensure intervention Support Plans are tailored to assist young people in detention to transition and re-integrate into the community where appropriate.

## Treatment

All therapeutic programs provided for young people in detention charged or convicted of a sexual offence are cognitive-behavioural therapy (CBT) based, with an emphasis on individual strengths to encourage desistance from offending. The content and structure of programs adheres to the Risk, Needs, Responsivity principles and addresses empirically derived risk factors for sexual and violent offending. Elements of dialectical behaviour therapy and acceptance and commitment therapy, including mindfulness and distress tolerance, have been incorporated into the programs.

## Determinations that apply

### 4.0: Admissions, Warrants and Release

Information gathered during the admission and induction process informs staff of a young person's risks and needs. The young person's immediate risks and needs must be addressed as soon as possible following their admission. Assessments undertaken following admission form the basis for decision-making in relation to the most appropriate placement for the young person and informs the development of the Young Person Support Plan.

### 4.1: Case Management, Assessment and Throughcare Services

Defines the provision of appropriate and individualised assessment, case management, and throughcare practice for young people in detention, including the facilitation and delivery of rehabilitative programs and supports in detention that contribute to reducing the risk of re-offending.

This policy determination is complemented by the [Procedure Manual: Case Management, Assessment and Throughcare Services](#).

## 4.2: Accommodation of Young People

Decisions about placement are undertaken in compliance with human rights conventions requiring separation of different groups of young people, consistent with the provision of the type of care best suited to the particular needs of the young person.

All young people sentenced or remanded in detention as a result of the alleged commission of a sex offence will be accommodated in a single room at all times while in detention.

## 4.9: Young Person Support Plan

The Young Person Support Plan is a key tool to assist Youth Justice Officers in promoting positive behaviour and reduce reliance on responsive behaviour management strategies. The YPSP addresses the young person's needs through intensive individualised support planning and case management and provides a nurturing, safe and stable environment for the support of young people in detention.

## 5.0: Health Services

Health assessments and treatment are available, throughout a young person's time at a detention centre, to meet their physical, psychological, emotional and social needs, including drug and alcohol issues and self-harm and suicidal behaviours. Health information, where appropriate, informs:

- The day to day support of a young person through the Young Person Support Plan (refer to *Youth Justice Policy Determination 4.9: Young Person Support Plan*);
- The young person's placement in appropriate accommodation; and
- The young person's case management and throughcare (refer to *Youth Justice Policy Determination 4.1: Case Management, Assessment and Throughcare Services*).

Young people are informed of their rights and responsibilities and are informed of how to access health care services.

## 5.1: Young People At Risk

When a young person arrives at a detention centre from a Police Watchhouse, a Custody Health Assessment completed by the Police forms part of the young person's admission documentation. Staff are aware that Police assess all young people as 'at risk', however, this does not necessarily mean that a young person is at risk of self-harm or suicide. Youth Justice Officers must make their own assessment using the Initial Risk Needs Assessment about a young person's risk of self-harm or suicide, **unless the young person is noted 'at risk' by a health professional on the Custody Health Assessment.**

Territory Families has a duty of care when releasing all young people, however, it is particularly important that this duty of care is fulfilled when a young person is released during an 'at risk' placement. The Manager Youth Programs - Superintendent is responsible for ensuring appropriate arrangements are made for the continued support of the young person who becomes eligible for release during an at risk placement.

This policy determination is complemented by the [Youth Justice Procedure 5.1: Identifying and Managing Young People At Risk](#).

## 5.2: Mandatory Reporting

Section 26 of the *Care and Protection of Children Act* sets out the reporting obligations that apply to all persons in the Northern Territory who have concerns that a child or young person may have been harmed or exploited, including sexual harm.

## Post Release

Young people who have been charged of a serious sexual offence and released on bail, or convicted of a serious sexual offence and released on parole or to a community supervision order, will be subject to ongoing supervision to enhance the protection of the community. The secondary purpose of continued supervision is to facilitate the ongoing treatment and rehabilitation needs of the young people concerned.

Post release support planning will:

- Enhance community protection by ensuring young people comply with their bail conditions or the conditions of their post sentence order, through monitoring, supervision and specialist case management support;
- Reduce re-offending by providing young people with access to treatment programs to reduce their level of risk;
- Tailor specific responses to the individual young person;
- Ensure transitional support is maintained across the youth justice system and that post release young people are supported in their transition back into community; and
- Identify suitable and appropriate residential care arrangements that ensure the environment the young person is returning to will enhance the protection of the community, enable monitoring of community based orders, facilitate and promote treatment and rehabilitation, and provide a specialist level of individualised case management support.