

# Alcohol and Drug Testing (Young People) Policy

## Essential Summary

Random and targeted testing for alcohol and or drugs is conducted in all NSW Youth Justice Centres

This policy provides the circumstances and conditions under which young people are drug tested for the presence of alcohol and/or drugs.

This policy complies with the Children (Detention Centres) Act 1987 and the Children (Detention Centres) Regulations 2015.

Testing in this context refers to testing breath, saliva and/or urinalysis.

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# 1 Scope

This policy applies to all operational employees within Youth Justice NSW (YJNSW) Centres.

# 2 Purpose

The purpose of this policy is to improve safety and security in centres by reducing the likelihood of intoxicated young people and/or drugs entering centres and to:

- direct compliance with the Children (Detention Centres) Regulation 2015 when conducting alcohol and/or drug testing of young people in Youth Justice centres (YJC)
- promote a safe and secure environment for young people, employees and visitors
- identify the risks and needs of young people relating to alcohol or drug abuse

# 3 Definitions

Word/Term	Definition
Adulterated sample	A sample not considered normal by the laboratory
Authorised Testing Officer	An employee who has been trained in the correct procedures for testing young people for alcohol or drug use.
Young Person	A detainee held in a NSW Youth Justice Centre on remand, or subject to a control order as defined in Children (Detention Centres) Act 1987
Drug	(a) a prohibited drug or prohibited plant within the meaning of the <i>Drug Misuse and Trafficking Act 1985</i> , or (b) a substance listed in Schedule 2, 3 or 4 to the Poisons List under the <i>Poisons and Therapeutic Goods Act 1966</i> , or (c) any derivative of a substance referred to in paragraph (a) or (b), or (d) any mixture containing such a substance or derivative.
Must	Means a mandatory action to be complied with.
Negative result	Test results indicate no alcohol or prohibited drug detected in the sample
Non-negative saliva result	Test result indicates the possible presence of prohibited drugs in the saliva sample
Positive urinalysis result	Test result confirms the presence of particular drug/s were detected in the urine sample by the laboratory
Presumptive result	Indicates an illicit substance may be present
Random testing	Young people are randomly selected for testing
Risk assessment	An assessment carried out to determine the risk of violence or harm to the Young Person and other persons
Should	Means a recommended action to be complied with unless there are sound reasons for taking a different course of action.
Target drug testing	Young people tested when they fall within the criteria for target testing

Urinalysis	Analysis of a urine sample conducted by the laboratory to determine the presence or absence of prohibited substances Urinalysis tests for; Amphetamines, Benzodiazepines, Cocaine, Methamphetamines, Opiates, THC (Marijuana) and Methadone. Urine samples can also be tested for Buprenorphine.
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## 4 Principles for testing young people

The following principles must be adhered to when testing for alcohol and/or other drugs (AOD) conducted in YJCs.

- All young people regardless of age or legal status can be asked to provide a breath test and / or a sample of saliva and/or urine for drug testing.
- Young people will be informed of the testing processes and consequences of positive test results before testing.
- A young person's individual circumstances and needs are considered and catered for where possible.
- Testing will be conducted in a way that protects the rights and dignity of the young person.
- Testing must not be used to harass, intimidate, bully or discriminate against any young person.
- Coercion and/or force will not be used to request a test or to collect a sample for testing.
- Information on alcohol and drug testing is confidential.
- Trained testing officers only, must conduct alcohol or drug testing of young people.

## 5 Test types

### 5.1 Breath test

Breath testing is used to indicate the presence of alcohol on a young person's breath. Suspicion that alcohol has been consumed is not required for a breath test to be conducted.

The testing officer may be any gender.

The breath test results may be used as evidence that a young person has consumed alcohol.

When a breath test indicates the presence of alcohol, the young person should be re-tested in 30 minutes.

### 5.2 Saliva test

Saliva testing is used to identify potential drug use. The authorised testing officers collecting a saliva sample may be of any gender.

Saliva testing provides a presumptive result. A non-negative result indicates drug use but cannot be used as evidence of illicit substance use.

Young people who return a non-negative presumptive result to a saliva test are required to provide a urine sample

### **5.3 Urinalysis test**

Urinalysis testing is used to identify and confirm the presence of drug/s.

Only trained and authorised testing officers will conduct urinalysis testing.

Urine samples must be collected in a private designated area away from public view.

Under no circumstances will the authorised testing officer directly watch a young person provide the sample.

Authorised testing officers are to remain outside the young person's line of sight, with the primary officer collecting the urine sample to be the same gender as the young person.

An analysis of the urine sample will be conducted by the laboratory to determine the presence or absence of any prohibited substance/s.

When a urinalysis sample is tested and the laboratory reports an adulterated sample a second sample must be collected and sent for testing.

## **6 Testing Young People**

Young people can be randomly selected or target tested for alcohol and/or drug use.

### **6.1 Random testing**

Random testing is conducted without suspicion that the young person is under the influence of alcohol or another intoxicating substance.

A Young Person must be in custody for 42 days or more before they can be random tested for alcohol and/or drug use. The Intelligence Support Officer, Security & Intelligence Unit (S&I) will generate lists of young people for random drug testing.

Random testing must be completed at the centre within seven days from the creation of the test list.

### **6.2 Target testing**

A Centre Manager or their delegate can approve target testing.

The Serious Young Offender Review Panel (SYORP) may request target testing.

Young people may be Target tested following day and/or overnight leave.

Young people who attend work release, external education or another external leave program may be target tested on return to the centre.

Target testing may also be conducted when there is a suspicion of alcohol or drug use. Any or all of the following, may indicate drug use:

[REDACTED]

## 7 Consequences

When a young person refuses to provide a sample for alcohol or drug testing or returns a non-negative or positive test result, consequences will apply. Consequences will be determined at the Centre where the young person resides.

The young person will not be eligible for community activities, day leave and overnight leave for a period of one month from the date the test result is confirmed.

The young person will be managed within the case management process and an immediate risk assessment of program participation conducted.

Subsequent non-negative or positive test results may lead to further sanctions, determined by the centre manager.

The young person is also guilty of misbehaviour, and a punishment may apply.

## 8 Administration costs

Delivery charges for same day, overnight or weekend delivery of samples will be costed to the relevant centre.

Samples that are not tested due to incorrect paperwork or packaging of samples will be costed to the relevant centre.

## 9 Authorised testing officers

Youth Justice Officers must be trained in the administration of tests and authorised by the centre manager or their delegate. Training is provided by the Intelligence Support Officer, Security & Intelligence (S&I).

# 10 References

## 10.1 Legislation

Children (Detention Centres) Act 1987

Children (Detention Centres) Regulation 2015

- Part 7 Maintenance of Order, Division 2 Testing for alcohol or drugs.
- Part 8 Misbehaviour.
- Schedule 1 Misbehaviour.

## 10.2 Policies

- Code of Ethical Conduct Policy
- Supervision of Young People Policy
- Case Management Policy
- Objective Classification System Policy
- Leave Policy
- Misbehaviour Policy
- Incident Management Policy: Reporting, Debrief and Review

## 10.3 Procedures

- Supervision of Young People
- Objective Classification System Procedure
- Misbehaviour Procedure.
- Case Management Procedure
- Leave Procedure
- Incident Reporting Procedure
- Breath Testing (Young People) Procedure
- Urinalysis (Young People) Procedure

## **10.4 Forms**

- Authority to Access Medical Information Form
- Breath Test Sheet
- Young People Breath Test Request Form
- Young Person Drug Testing Information Form
- Medication Advice Form
- Request for Drug Analysis – Toxicology Unit Form
- Request to Target Test Form
- Saliva Test Sheet
- Urinalysis Register Form
- Urinalysis Test Sheet Form
- Authority to Access Medical Information Form

## **10.5 Resources**

- Positive or Contaminated Drug Analysis Report Resource
- Random Urinalysis Testing Information Resource
- Target Urinalysis Resource
- Urinalysis Program Instruction for Young Person Resource
- Urinalysis Register Details Resource
- S&I Saliva Testing Steps Resource
- S&I Breath Testing Steps Resource
- S&I Urinalysis Testing Steps Resource

## 11 Document information

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## 12 Document history

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Version	Date	Reason for Amendment
0.1	1 June 2016	New Policy.
0.1.1	January 2026	Updated to new template and changed detainee to young person and juvenile to justice. References updated and inclusion of 'should' and 'must' in definitions. No major content changes.

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