

Separation procedure

When to use this procedure

This procedure is used when a young person or a group of young people need to be separated from the general population, where it is perceived that the inclusion of the young person/s within the general population, will cause disruption to the centre and /or affect the safety of the young person/s.

Separation must **ONLY** be used if the *Standards of Separation* can be met and **ONLY** in the following situations:

- **Individual Separation** from general population is based on assessment on admission or during the initial assessment and induction period following admission. The assessment is in relation to gender, age, vulnerability, classification and/or medical reasons that may posing a risk to the safety, security and good order of the centre including:

- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]

- Young people with a medical condition (Justice Health advice)
- **Groups separation:**
 - Incidents or disturbances (not individual)
 - Drug Dog and or Unit Searches
 - Industrial Action / Employee Shortage

It is considered separation when young people are subject to a centre's approved separation routine that differs from the centre's normal routines.

Do not use this procedure:

- If following an incident or misbehaviour a young person poses an immediate risk of danger to themselves and/or others (this is segregation)
- When investigating a misbehaviour or incident (this is segregation) refer to the *Segregation Procedure*.

Before using this procedure

Is this your first time using this procedure? Read and understand:

- *Delegated approval for the use of Separation*
- *Standards of Separation*
- *Reference Guide –Segregation & Separation*

Start using this procedure

Your responsibilities

Find your role. Find what you need to do.

Role	When required	Responsibilities
Youth Officers	Always	Youth Officers steps
Assistant Unit Manager Shift Supervisor	In the absence of or as directed by Unit Manager / Duty Manager As the person in charge of the centre at the time, in the absence of and as directed by the Centre Manager	Unit Supervisor steps Centre Manager steps
Unit Supervisor ¹	Always As the person in charge of the centre at the time, in the absence of and as directed by the Centre Manager	Unit Supervisor steps Centre Manager steps
Duty Manager	Always, in the role of Duty Manager As the person in charge of the centre at the time, in the absence of and as directed by the Centre Manager	Duty Manager steps Centre Manager steps
Assistant Manager	Always As the person in charge of the centre at the time, in the absence of and as directed by the Centre Manager	Assistant Manager steps Centre Manager steps
Assistant Manager	Always As the person in charge of the centre at the time, in the absence of and as directed by the Centre Manager	Assistant Manager steps Centre Manager steps
Centre Manager	Always	Centre Manager steps
Director Custodial Operations or (Weekend on-call: Director Community Director Policy & Practice	Always	Director Custodial Operations steps

The Children (Detention Centres) Act 1987 Part 1 (3) Definitions, defines a Centre Manager of a detention centre as meaning 'the person for the time being in charge of the centre'.

¹ The term 'Unit Supervisor' refers to the employee who is in charge of the Unit at the time, which includes a Unit Manager or Shift Supervisor

	<ul style="list-style-type: none">■ [redacted] [redacted] [redacted]■ [redacted] [redacted] <p>For group incident or disturbance, industrial action, or staff shortage</p> <ul style="list-style-type: none">[redacted] [redacted] [redacted][redacted] [redacted] [redacted][redacted] [redacted] [redacted][redacted] [redacted] [redacted][redacted] [redacted] [redacted][redacted] [redacted] [redacted][redacted] [redacted] [redacted][redacted]
Assistant Manager	<p>Separation of an individual young person</p> <ul style="list-style-type: none">■ [redacted] [redacted]■ [redacted] [redacted]
Assistant Manager (G)	<p>Separation of an individual young person</p> <ul style="list-style-type: none">■ [redacted] [redacted]<ul style="list-style-type: none">■ [redacted]■ [redacted]■ [redacted]■ [redacted] [redacted]■ [redacted] [redacted] ■ [redacted] [redacted]■ [redacted] [redacted]■ [redacted] [redacted]■ [redacted] [redacted] [redacted] [redacted] [redacted]

Centre Manager	<p>Separation of an individual young person</p> <ul style="list-style-type: none">█ [Redacted]█ [Redacted]█ [Redacted]█ [Redacted]█ [Redacted]█ [Redacted] <p>For group incident or disturbance, industrial action, or staff shortage</p> <ul style="list-style-type: none">█ [Redacted]█ [Redacted]█ [Redacted]█ [Redacted]█ [Redacted]█ [Redacted]█ [Redacted]█ [Redacted]█ [Redacted]
Director Custodial Operations or Weekend On-call Duty Director	<p>Approving continuation of separation exceeding 3 days:</p> <ul style="list-style-type: none">█ [Redacted]█ [Redacted]█ [Redacted]█ [Redacted]

Legislation

Section 16 of the *Children (Detention Centres) Act 1987* allows for the separation of detainees

Change log

Date	Reason for change	Details of change
September 2009	All Juvenile Justice procedures amended to reflect staffing restructures	Unit Coordinators replaced with Assistant Unit Managers/ Shift Supervisors
February 2010	Record of separation returns	Assistant Manager (G) is responsible for completion of Record of Separation return at the end of each month
February 2010	Instruments of Delegation (2 Feb 2010)	delegated approvals for the use of separation amended
September 2010	Review and amended procedure to simplify processes.	re-wording of procedure provides clarification between Separation and Segregation
September 2010	Amendments to Children (Detention Centres) Act 1987. Instruments of Delegation	updated guidelines for delegations of approval for Separation
18 March 2012	Separation now recorded in CIMS	Procedure reviewed and updated to include electronic recording of Separation.
21 Jan 2014	reviewed when to use this procedure	It is considered Separation when a detainee/s is: placed in a room/area/unit away from the main population and/is subject to a routine different from centre's approved and published standard routine
14 February 2014	Remove all requirements to notify Ombudsman of Separation	Ombudsman does not require notification of Record of Separation.
9 October 2015	Automatic notification to Ombudsman [REDACTED]	Inclusion on 'Note' regarding automatic notification to Ombudsman [REDACTED]
16 November 2016	Classification reason for Separation	Update 'classification' reasons for separation to include assessment of high risk detainees
March 2018	Changes made on advice from the Office of General Counsel.	To bring JJNSW operational procedure and policy 'delegations' and 'authorisations' in line with legislative requirements of the <i>Children (Detention Centres) Act 1987</i> and <i>Children (Detention Centres) Regulation 2015</i>
1 July 2019	Changes to Executive structure influenced legislative delegation changes for approval of segregation. Change of Division name to Youth Justice NSW	Centre Manager – up to 3 hours Director C O – Exceeding 3 hours
4 August 2021	Updated procedure to provide direction and instruction in relation to the practice of individual separation of young people in custody, based on recommendations made in the <i>Internal Audit Report – Juvenile Justice: Records Management for Detainees (2019)</i> .	Fulfilled recommendation to provide greater evidence to support that appropriate verbal approval was obtained prior to placing a young person in individual separation