

Contraband Policy

Essential Summary

This policy provides a framework for the management of contraband at Juvenile Justice NSW (JJNSW) centres or other facilities.

Juvenile Justice has a duty of care to its young people, employees and visitors. The ability to fulfil this care and provide a safe and secure environment is jeopardised when contraband items are brought into a centre.

This policy applies to all juvenile justice employees, young people, and visitors who work within, are detained within, or are visiting a juvenile justice centre.

This policy covers:

- the definition of contraband
- prevention of contraband
- responding to suspected or found contraband
- reporting requirements

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1 Scope

This policy applies to all Juvenile Justice NSW, Department of Education and Justice Health and Forensic Mental Health Network (JHFMHN) employees, working within a JJNSW environment.

2 Purpose

The purpose of this policy is to:

- inform all employees of legislative requirements
- inform all employees of the requirements of Juvenile Justice NSW (JJNSW)
- provide consistency in the prevention, management and reporting of contraband across centres
- set out how officers of the Department are to carry out their work in order to assist the Secretary to discharge his or her functions under the *Children (Detention Centres) Act 1987* (NSW)

3 Definitions

Centre manager means the person for the time being in charge of the centre

Contraband means:

- any item that is brought into the secure area of a centre, vehicle dock or custody area of court without written approval from the centre manager
- any item legally prohibited from being taken into a JJNSW centre under *Section 37B, 37C of the Children (Detention Centres) Act 1987 (CDC 1987)*

Employees means (for the purpose of this policy) all JJNSW, Department of Education and JHFMHN employees who within JJNSW centre on a permanent basis

Unit Supervisor means the person in charge of the unit at the time; including the Unit Manager, Assistant Unit Manager or Shift Supervisor.

4 Prohibited items

Section 37B and 37C of the *CDC 1987* prescribes that it is against the law for 'a person who without lawful authority, brings or attempts to bring into a JJNSW centre:

- any alcohol or other things of any kind; or
- delivers or attempts to deliver to a young person any alcohol, drugs or other things of any kind

Prohibited items include, but are not limited to:

- cameras, video cameras or any other type of image or voice recording devices
- cigarettes
- weapons: including guns and knives
- mobile phones
- smart watches
- alcohol
- syringes

If an employee or visitor to a centre is caught bringing in or attempting to bring any of the above items they are guilty of an offence and liable to a penalty not exceeding \$1110.00 or imprisonment for a period not exceeding 12 months.

5 Preventing contraband

5.1 Signage

Each Juvenile Justice Centre must display clear signage at the entrance of the centre warning visitors, young people, and employees against contraband and the consequences for bringing contraband into a Juvenile Justice Centre.

Signage must also be placed at all entrances to the secure areas within a centre to remind employees that they are entering a secure area and must only have items approved by the centre manager in their possession.

5.2 Register of approved items

[REDACTED]

5.3 Centre manager's approval

[REDACTED]

[REDACTED]

[REDACTED]

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

The Centre Manager may approve a visitor to deliver an item to a centre employee, for delivery to a young person.

5.4 Unauthorised use of cameras and recording equipment

Employees, visitors and young people must not take photographs, videos or audio recordings of a JJNSW centre without the prior approval of the centre manager.

[Redacted]

- [Redacted]
- [Redacted]
- [Redacted]

[Redacted]

5.4.1 Photographs of young people taken in custody

[Redacted]

- [Redacted]
- [Redacted]
- [Redacted]
- [Redacted]

[Redacted]

[Redacted]

- [Redacted]
- [Redacted]
- [Redacted]

[Redacted]

[Redacted]

5.5 Clear bags

Employees must use clear bags provided by JJNSW, to bring personal items into a Juvenile Justice Centre. [Redacted]

[Redacted]

[Redacted]

6 Responding to contraband

6.1 Handling unsafe and sharp items

Employees must use the search kit to safely handle and record contraband, taking all reasonable steps to make it safe prior to further handling. Any syringes or sharp objects found must be placed in a puncture-resistant container. Refer to the *Exhibits Procedure* for handling of dangerous items or hazardous substances.

6.2 Illegal items and items that constitute a threat to public health

[Redacted]

- [Redacted]
- [Redacted]

6.3 Classification of videos, DVDs, games, and music

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

6.4 Pornographic material

Pornographic material includes obscene photos, videos, and adult magazines (e.g.; FHM, Playboy, Hustler, Ralph etc.). Photos or videos/CDs with pornographic content must be confiscated. All pornographic material must be destroyed when confiscated and a record kept of material destroyed.

[Redacted text]

6.5 Money

[Redacted text]

[Redacted text]

[Redacted text]

6.6 Contraband in visits

If a visitor is found to have bought illegal contraband into a JJNSW centre the police must be contacted.

[Redacted text]

[Redacted text]

[Redacted text]

6.7 Contraband found on employees

[Redacted text]

7 Reporting contraband

7.1 Reporting contraband

[Redacted]

[Redacted]

- [Redacted]
- [Redacted]
- [Redacted]
- [Redacted]
- [Redacted]
- [Redacted]
- [Redacted]
- [Redacted]
- [Redacted]

8 References

8.1 Policies

- Searching Young People
- Searching Employees

8.2 Procedure

- Contraband Procedure
- Exhibit Procedure
- JJNSW Policy of Applying Powers and Responsibilities under the Children (Detention Centres) Act and Regulations.

8.3 Legislation

- Children (Detention Centres) Act 1987
- Children (Detention Centres) Regulation 2015
- Crimes Act 1900
- Weapons Prohibition Act 1998

9 Document information

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Business Centre:	Operations Unit
Author:	Project Officer ,Custody
Approver:	Executive Director, Director Policy & Practice, Director Custodial Operations

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10 Document history

Version	Date	Reason for Amendment
1	February 2019	New policy in line with delegation levels in CDC Act 1987 and CDC Regulations 2015
2	December 2020	Information added on Photographs taken of young persons in custody in adherence to memo D20/34181 Photographs of young people taken in custody