

## Appeal

### When to use this procedure

Use this procedure to provide support to young people wishing to appeal a court decision, including:

- Arranging for the young person to receive legal advice
- Communicating with relevant parties
- Documenting updates and changes
- Arranging other supports as necessary

### Before using this procedure

First time using this procedure? See and understand:

- [Duty of care](#)

### Start using this procedure

Your responsibilities

Find your role. Find what you need to do.

Role	When required	Responsibilities
Youth Officer	Always	Youth Officer <a href="#">steps</a>
Juvenile Justice Caseworker	Always	Juvenile Justice Caseworker <a href="#">steps</a>
Admissions Officer	Always	Admissions Officer <a href="#">steps</a>
Assistant Unit Manager/ Shift Supervisor	In absence of, or as directed by, Unit Manager	Unit Manager <a href="#">steps</a>
Unit Manager	Always	Unit Manager <a href="#">steps</a>
Assistant Manager (CS)	Always	Assistant Manager (CS) <a href="#">steps</a>

### Procedural steps

Role	Responsibilities
Youth Officer	<p><b>When young person wants to appeal</b></p> <ol style="list-style-type: none"> <li>1. <b>Check</b> young person has spoken to a legal representative</li> <li>2. <b>Assist</b> young person with contacting their legal representative, if they have not yet received advice</li> <li>3. <b>Inform</b> Unit Manager of the young persons intention to appeal</li> <li>4. <b>Liase</b> with the Juvenile Justice Caseworker to assist them with securing an appropriate placement or accommodation for the detainees potential release</li> </ol>

	<p>5. <b>Complete</b> other actions as directed by your supervisor</p>
<p><b>Juvenile Justice Caseworker</b></p>	<p>People you need:</p> <ul style="list-style-type: none"> <li>• Assistant Manager</li> </ul> <p><b>When young person wants to appeal</b></p> <ol style="list-style-type: none"> <li>1. <b>Check</b> young person has spoken to a legal representative</li> <li>2. <b>Assist</b> young person with contacting their legal representative, if they have not yet received advice</li> <li>3. <b>Inform</b> Assistant Manager of the young persons intention to appeal</li> <li>4. <b>Investigate</b> accommodation options and <b>support</b> the young person, if in custody, to secure an appropriate placement for their potential release</li> <li>5. <b>Complete</b> other actions as directed by your supervisor</li> </ol> <p><b>When appeal has been lodged</b></p> <ol style="list-style-type: none"> <li>1. <b>Communicate</b> with young person and family/carers where relevant, to prepare for court and other requirements</li> </ol> <p>[Redacted]</p> <ul style="list-style-type: none"> <li>• [Redacted]</li> <li>• [Redacted]</li> <li>• [Redacted]</li> </ul> <p>[Redacted]</p> <p><b>When young person wants to withdraw appeal</b></p> <ol style="list-style-type: none"> <li>1. <b>Encourage</b> young person to discuss with their parents/significant others and legal representative</li> <li>2. <b>Liase</b> with legal representative and other stakeholders</li> </ol> <p>[Redacted]</p>
<p><b>Admissions Officer</b></p>	<p>People you need:</p> <ul style="list-style-type: none"> <li>• Unit Manager</li> <li>• Shift Supervisor</li> </ul> <p><b>When appeal has been lodged</b></p> <p>[Redacted]</p> <p>[Redacted]</p> <ul style="list-style-type: none"> <li>• [Redacted]</li> </ul>

	<p>[Redacted]</p>
<p><b>Unit Manager</b></p>	<p>People you need:</p> <ul style="list-style-type: none"> <li>• Assistant Manager</li> <li>• Juvenile Justice Caseworker</li> <li>• Admissions Officer</li> <li>• Unit Manager</li> <li>• Unit employees</li> <li>• Classifications Officer</li> </ul> <p><b>When young person wants to appeal</b></p> <ol style="list-style-type: none"> <li>1. <b>Check</b> young person is provided contact with legal representative within timeframe allowed for an appeal</li> <li>2. <b>Check</b> young person has discussed possible disadvantages of lodging an appeal with their legal representative</li> <li>3. [Redacted]</li> <li>4. <b>Communicate</b> with young person's Juvenile Justice Caseworker to find or check proposed placement/ accommodation</li> </ol> <p><b>When appeal has been lodged</b></p> <ol style="list-style-type: none"> <li>1. <b>Inform</b> detainee, Classification Officer and Juvenile Justice Caseworker of appeal including court details</li> <li>2. <b>Check</b> all necessary actions have been completed by Admissions Officer and unit employees</li> </ol> <p>[Redacted]</p> <p><b>When young person wants to withdraw appeal</b></p> <ol style="list-style-type: none"> <li>1. <b>Encourage</b> young person to discuss with their parents/significant others and legal representative</li> <li>2. <b>Liaise</b> with legal representative and other stakeholders</li> <li>3. <b>Check</b> that Intention to Withdraw notice of appeal form or Notice of abandonment is submitted to court where appeal was to be heard if detainee wants to proceed with withdrawal</li> </ol>
<p><b>Assistant Manager (CS)</b></p>	<p>People you need:</p> <ul style="list-style-type: none"> <li>• Unit Manager</li> </ul> <ol style="list-style-type: none"> <li>1. <b>Maintain</b> local standard operating processes for referring young people to legal representation</li> <li>2. <b>Liaise</b> with visiting legal representative about young people in the centre wishing to appeal</li> </ol>

	<ol style="list-style-type: none"> <li>3. <b>Check</b> detainee's current legal status and any orders that may affect appeal or application for bail</li> <li>4. <b>Monitor</b> appeal proceedings</li> <li>5. <b>Inform</b> all relevant employees of updates and concerns</li> </ol>
<b>Centre Manager</b>	<p>People you need:</p> <ul style="list-style-type: none"> <li>• Assistant Manager (CS)</li> </ul> <ol style="list-style-type: none"> <li>1. <b>Develop</b> a local standard operating process for referring young people to legal representatives</li> <li>2. <b>Ensure</b> visiting legal representatives (Legal Aid /Aboriginal Legal Service) are providing services to young people on at least a weekly basis</li> <li>3. <b>Provide</b> young people with access to legal representatives via the ARUNTA system</li> </ol> <p><b>Considering leave applications</b></p> <ol style="list-style-type: none"> <li>1. <b>Check</b> legal status and related risks prior to approving leave for young people appealing their sentence</li> </ol>

## References

### Related policies

[Bail](#)

[Case Management](#)

### Related procedures

[Bail](#)

[Parole](#)

[Case Management](#)

[Community Supervision and Casework](#)

### Legislation

[Children \(Detention Centres\) Act 1987: No 57 Current Version 7/1/2011 S.39 Expediting Trials and Appeals](#)

[Children \(Criminal Proceedings\) Act 1987: No55 Current Version 25/2/2011 S.42 Appeals](#)

### Change log

Date	Reason for change	Details of change
1 September	All Juvenile Justice Centre Procedures have been changed to	The position of Unit Coordinator has been deleted and replaced

2009	reflect the staffing restructure within Juvenile Justice Centres.	with Shift Supervisor or Assistant Unit Manager.
February 2015	Updated in line with current terminology and practice	Addition of steps to inform Court Logistics (Classification Officer) of appeal Addition of steps for Juvenile Justice Caseworkers Structure and formatting changes