



Youth Custodial Rule 202

Privileges extended to detainees

Legislation referred to: [Young Offenders Act 1994](#)
[Young Offender Regulations 1995](#)

1. Purpose

- 1.1 Access to privileges in a Youth Custodial Services (YCS) facility represents the opportunity for detainees to exercise self discipline, self control and self determination, thus enabling them to benefit from appropriate behaviour. Access to a range of privileges reinforces the principle of 'responsible citizenship'.
- 1.2 The purpose of this Youth Custodial Rule and associated Standing Orders is to provide YCS staff with a means by which they can acknowledge detainees who adopt positive behaviour. Through the provision of privileges, detainees are encouraged to continue to demonstrate acceptable behaviour. Part 7A [Young Offender Regulations 1995](#) defines and outlines detainee privileges.

2. Scope

This Youth Custodial Rule applies to all YCS staff and contractors and should be read in conjunction with all relevant Youth Custodial Rules, Standing Orders and Departmental policies and procedures.

3. Definitions

Privilege	Any concession or luxury extended to a detainee in addition to any rights provided by statutory or common law, as provided in r 46A of the Young Offenders Regulations 1995 .
Authorised	Means authorised by the Superintendent.

4. Principles

- 4.1 Subject to the maintenance of the good order and security of the facility, a privilege may be extended to a detainee at the discretion of the Superintendent or an authorised officer. Privileges that may be extended to detainees are outlined in r 46B [Young Offenders Regulations 1995](#).
- 4.2 In accordance with r 46A (3) [Young Offender Regulations 1995](#) an authorised officer may withdraw a privilege from a detainee at any time upon being satisfied that:

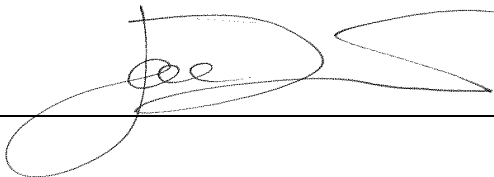
- the privilege is being misused
 - the detainee has breached a Youth Custodial Rule
 - there is a threat or a breach of the security of the YCS facility
 - the detainee has an article in their possession that has not been approved.
- 4.3** An authorised officer must withdraw a privilege from a detainee when requested to do so by the Superintendent.
- 4.4** Should a privilege be withdrawn the detainee may seek a review of the decision to withdraw the privilege.
- 4.5** The Superintendent shall cause a report to be made when privileges are granted to detainees and the loss thereof.

Approval


Rule made pursuant to Section 181 (1) of the *Young Offenders Act 1994* and Young Offenders Regulations 1995, by the Commissioner being the Chief Executive Officer of the Department of Corrective Services with the approval of the Minister for Corrective Services.

On the 13th day of March 2014

Minister



Commissioner



On the recommendation of the Deputy Commissioner Youth Justice Services and the Director Youth Custodial Services.



**Deputy Commissioner
Youth Justice Services**



**Director
Youth Custodial Services**

Version history

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Rule amended	17 July 2008	17 July 2008
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