



# Youth Custodial Rule 701

## Medical examinations, attention, treatment, records and reports

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

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### 1. Introduction

The Department of Corrective Services has a responsibility to provide detainees with appropriate health services and encourages detainees to take responsibility for improving their health status and preventing illness.

### 2. Scope

This rule applies to all Youth Custodial and Youth Health Services Staff, volunteers and contractors and should be read in conjunction with all relevant Rules, Standing Orders and Departmental Policies and Procedures.

### 3. Medical examinations of detainees

In the matter of medical examinations of detainees on admission:

- 3.1 All detainees shall be medically assessed by a nurse as soon as possible, on their initial admission to a detention centre.
- 3.2 In the event the police arrive with a young person who medically is not in a fit state to be admitted, then staff have a responsibility to manage the detainee as a medical emergency. Staff shall offer all assistance to the police to render emergency first aid and to arrange for an ambulance or immediate transport to the nearest emergency hospital. The detainee should not be admitted to the detention centre.
- 3.3 When there is prior notification of a pending admission of a young person in poor health the officer in charge shall request the police to seek medical care of the young person before pursuing custody transfer. Medical staff should be informed in these instances.
- 3.4 In the circumstances described in section 3.2 above it shall continue to remain the responsibility of the police to maintain custody of the detainee, as they have not formally handed over custody to the detention centre.

### 4. Medical attention and treatment

In the matter of informed consent for medical attention and treatment of detainees in custody:

- 4.1 The issue of detainee informed consent for medical treatment and provision of medical information to parents should be consistent with the following principles:
  - 4.1.1 Informed consent from the detainee should be requested prior to the initial medical assessment and the provision of medical treatment and prior to giving information about the detainee's condition to their parent, guardian or caregiver.

- 4.1.2 If a detainee is aged 15 years and under, the issue of their right to:
- give informed consent to medical treatment; or
  - insist upon medical treatment that is in opposition to their parents, guardians, or caregivers wishes; or
  - refuse to allow medical staff to inform their parent, guardian or caregiver of their medical condition
- is dependent upon:
- a) their level of maturity being sufficient to appreciate the nature of the treatment proposed and its likely consequences
  - b) their ability to understand what is proposed and to communicate their own wishes.
- 4.2 A detainee should be given the opportunity to provide consent. However, if they refuse, and it is considered in the best interests of the detainee, if the detainee is not considered sufficiently mature to provide informed consent, or if the carer named can not be contacted, the situation should be discussed with the Director of Health Services.
- 4.3 A detainee shall be provided with such medical attention, treatment and medicine if in the opinion of the nurse or medical officer it is necessary to lessen or prevent a serious threat to an individual's life.
- 4.4 The nurse or medical officer shall as far as possible:
- consult with a detainee before providing or administering medical treatment
  - with informed consent the officer in charge shall inform any parent, guardian or caregiver of a detainee, of any medical treatment that requires the detainee to be transferred to hospital.
  - with informed consent, where a detainee requests involvement, the officer in charge shall inform any parent, guardian or caregiver, of a detainee with a medical condition that has required ongoing treatment on admission or requires follow-up on release with the appropriate health and medical referrals where applicable.
- 4.5 In the event that a decision is taken to transfer a detainee to hospital or other external centre for medical treatment, [Youth Custodial Rule 403](#) shall apply.
- 4.6 The nurse or medical officer shall inform the Superintendent or their delegate, and Director Health Services at any time of any:
- serious injuries to detainees
  - the need to transfer to hospital or other external medical centre
  - serious self-injury
  - suicide attempts
  - conditions requiring special management, for example pregnancy (with detainees consent) or mental health issues
  - psychiatric diagnosis

- infectious condition, either suspected or confirmed (bearing in mind mandatory reporting requirements to the Department of Child Protection for detainees under 16 years of age).
- 4.7 The nurse or medical officer will provide a written medical report to the Superintendent or their delegate as soon as possible but prior to ceasing duty in respect to section 4.6 above.
- 4.8 The Superintendent when advised by the nurse or medical officer in accordance with section 4.6 above shall ensure that the parent(s), guardian or caregivers of the detainee are notified as soon as possible.

## **5. Procedures in relation to illness of a detainee**

In the matter of the procedures in relation to illness of a detainee:

- 5.1 An officer shall bring to the notice of the Senior Officer or Unit Manager, any detainee who appears to be, or claims to be, physically ill or have mental health issues. The Senior Officer or Unit Manager shall refer the appropriate case to the Health Centre, if necessary.
- 5.2 When necessary, the Superintendent or their delegate shall advise the parent, guardian or caregiver of a detainee whose physical or mental condition, whilst not requiring hospitalisation, is of such a nature that their involvement is desirable in the management of the detainee.

## **6. Urgent medical treatment for a detainee**

In the matter of urgent medical treatment for a detainee:

- 6.1 In any emergency situation requiring medical attention, officers responsible for the supervision of the detainee or detainees involved in the emergency, shall take the necessary action to ensure that such medical attention is provided as soon as possible.
- 6.2 In the event of a serious injury, the officer in charge shall either immediately contact the nurse on duty, or as needs dictate, arrange emergency transport to a hospital or medical centre. In these cases the Superintendent or their delegate shall be informed, and they will advise the Assistant Commissioner Youth Justice Services and the Director Health Services. Reporting per [Youth Custodial Rule 109](#) (Minimum Reporting Requirements) shall apply.
- 6.3 Subject to s 6.2 above, and in the event that a decision is taken to transfer a detainee to hospital or for other external to centre medical treatment, [Youth Custodial Rule 403](#) (Escorts and placements at police lockups) shall apply.
- 6.4 In circumstances where a detainee is transferred to hospital, the Superintendent or their delegate shall, in accordance with section 5.2 above, ensure that the parents, guardian or caregivers of the detainee are notified as soon as possible and their involvement encouraged as appropriate.
- 6.5 Where a detainee is seriously ill, the Superintendent or their delegate shall take all reasonable steps to advise the parents, caregiver or significant other and shall permit such visits as are appropriate.

## 7. Access to after hours medical services

- 7.1 Non-urgent medical incidents shall be managed 'after hours' in accordance with the following:
- 7.1.1 The officer in charge will contact the on-call medical officer direct, if a nurse or a Duty nurse is not available.
  - 7.1.2 The Doctor will attend when necessary, after discussion with the nurse or officer in charge as to the nature of the injury and how quickly the treatment needs to be administered or the assessment undertaken, or advise transfer to a hospital.
  - 7.1.3 Where the assessment or treatment requires the detainee to be removed to hospital or other treatment centre this shall be arranged in accordance with Youth Custodial Rule 403.
- 7.2 Urgent medical incidents shall be managed 'after hours' in accordance with the following:
- 7.2.1 In an emergency situation requiring medical attention, Officers responsible for the supervision of the detainee or detainees involved in the emergency shall take the necessary action to ensure medical attention is provided as soon as possible.
  - 7.2.2 If the situation is urgent, and there is no nurse available, the officer in charge shall:
    - Assess the situation and consult with the 'on call' medical officer or if they are not contactable, the Director Health Services; or
    - Convey the detainee directly to hospital by ambulance, if considered necessary and then inform the Director Health Services and the Superintendent who will advise the Assistant Commissioner Youth Justice Services.
  - 7.2.3 [Youth Custodial Rule 109](#) and [Youth Custodial Rule 403](#) are to be followed in the above circumstances if the detainee requires removal to a hospital.
- 7.3 High Security Escort detainees requiring urgent medical treatment 'after hours' shall be managed in accordance with the following:
- 7.3.1 If a High Security escort detainee must be removed to hospital the Director Health Services must be notified even when the 'on call' medical officer has made the assessment or has been consulted.
  - 7.3.2 This requirement to notify the Director Health Services may only be set aside if the medical emergency is life threatening and clearly necessitates the detainee's prompt removal to hospital.

## Version history

Version	Approved	Effective from
First published as Juvenile Custodial Rule 701 - Medical Examinations, Attention, Treatment, Records and Reports	25 April 2001	25 April 2001
Renamed: Juvenile Custodial rule 701 - Medical Examinations, Attention and Treatment	17 July 2008	17 July 2008
Renamed: Youth Custodial rule 701 - Medical examinations, attention, treatment records and reports	27 August 2012	27 August 2012

Rule made pursuant to Section 181 (1) of the *Young Offenders Act 1994* and the *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 27<sup>TH</sup> DAY OF August 2012.

MINISTER for CORRECTIVE SERVICES

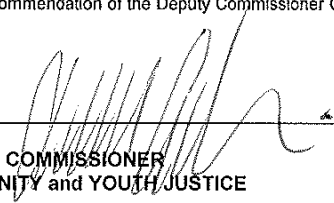


COMMISSIONER  
DEPARTMENT of CORRECTIVE SERVICES

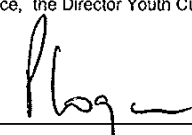


on the recommendation of the Deputy Commissioner Community and Youth Justice, the Director Youth Custodial Services and the Director Health Services.

DEPUTY COMMISSIONER  
COMMUNITY and YOUTH JUSTICE



DIRECTOR  
YOUTH CUSTODIAL SERVICES



DIRECTOR  
HEALTH SERVICES

