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STATUTORY RULES OF NORTHERN IRELAND

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**2008 No. 427**

**Juvenile Justice Centre Rules (Northern Ireland) 2008**

**PART 7**

**SECURITY AND SAFETY**

**Maintenance of good order and discipline**

**46.** Good order and discipline shall be maintained in a centre, but with no more restriction than is required in the interests of safety, security and well-ordered community life.

**Search**

**47.—(1)** Each child shall be searched on his reception into a centre and subsequently as the director considers necessary in accordance with guidelines approved by the Secretary of State.

(2) A search shall be carried out in a manner consistent with discovering anything concealed while maintaining the dignity of the child and shall be conducted by two members of staff of the same gender as the child.

(3) The searching procedure and reason for the search shall be explained to the child prior to a search taking place.

(4) A child shall not be undressed or required to undress, other than to remove a hat, coat or overcoat, for the purpose of a search:

- (a) without the authority of the director; or
- (b) in the sight of another child or any persons other than the members of staff conducting the search.

(5) Where a child refuses to co-operate with a search, the minimum effort necessary to effect the search may be used subject to the provisions of rule 51.

(6) A record shall be kept of any search to which paragraph (4) or (5) applies.

(7) The child shall be informed of the content of the record kept under paragraph (6) and encouraged to contribute to it as far as practicable.

**Record and photograph**

**48.—(1)** A personal record of each child shall be prepared, maintained and preserved in such manner and for such period as is approved by the Secretary of State, but no part of the record shall be disclosed without legitimate reason.

(2) Each child may be photographed on reception or subsequently but no copy of the photograph shall be given to any person not authorised to receive it.

(3) Such photographs shall be taken in a way which does not indicate that they have been taken in a centre.

### **Observation of child by means of an overt closed circuit television system**

**49.**—(1) The director may make arrangements for any child to be placed under constant observation by means of an overt closed circuit television system while the child is in a bedroom or other place in the centre if he considers that:—

- (a) such supervision is necessary for
  - (i) the well-being of the child
  - (ii) securing or maintaining security or good order and discipline in the centre; and
- (b) such supervision is proportionate to what is sought to be achieved.

### **Managing behaviour**

**50.** The director shall have in place a policy for the management of difficult behaviour and maintenance of discipline.

### **Physical restraint**

**51.**—(1) Physical restraint shall only be used as a last resort in order to prevent:—

- (a) injury;
- (b) escape;
- (c) serious damage to property;
- (d) serious disorder;
- (e) incitement of another child to any of the above;

and then only when all other reasonable efforts to defuse and de-escalate the situation have been unsuccessful or no alternative method of preventing the incidents specified in any of paragraphs (a) to (e) is available.

(2) Only methods approved by the Secretary of State shall be used and only by a member of staff who has undergone a course of training approved by the Secretary of State.

(3) Physical restraint shall not be used as a punishment and where it is used it shall be for the shortest time possible and the child and, as far as practicable, the parent of the child, shall be informed of the reasons for such action.

(4) On each occasion that a child is physically restrained a report of the circumstances shall be made to the director without delay and a written record completed.

(5) The child shall be informed of the content of the written record referred to in paragraph (4) and encouraged to contribute to it.

(6) A healthcare officer shall be informed of any incidents of physical restraint to enable him to fulfil his duties under rule 28(5).

(7) The director shall regularly review the use of physical restraint in a centre to ensure that its use is appropriate and proportionate and in accordance with these rules.

### **Single separation**

**52.**—(1) Single separation shall be used only where it is necessary in the best interests of a child or as part of an overall strategy to prevent or defuse any of the incidents specified in any of paragraphs (a) to (e) of Article 51(1).

(2) Where single separation is used it shall be for the shortest time possible commensurate with the circumstances and in accordance with time limits and arrangements approved by the Secretary of State.

(3) Single separation shall not be used as a punishment and shall normally take place in a child's own bedroom unless that is impracticable.

(4) A written record shall be kept of each occasion on which single separation is used and the child in question shall be informed of the content of that record and encouraged to contribute to it.

(5) The director shall regularly review the use of single separation in a centre to ensure that its use is appropriate and proportionate and in accordance with these rules.

(6) Nothing in this rule shall restrict a child's right to receive visits or to make a complaint or to consult with his legal adviser, chaplain or doctor.

### **Prohibited articles and substances**

**53.**—(1) Except with the permission of the director no child shall have in his possession or conceal or deposit anywhere within the centre any article or substance which has been prohibited by the director.

(2) The director shall display prominently a list of prohibited articles and substances.

(3) The director may take reasonable steps to prevent prohibited articles and substances coming into the centre.

(4) Except as permitted by the director no person may—

(a) bring, send, throw, or cause to be taken into or out of a centre by post or otherwise; or

(b) deposit in any place with intent that it should come into a child's possession;

any prohibited article or substance.

(5) Any prohibited article or substance may be confiscated by the director and shall be dealt with as he thinks fit.

### **Alcohol, tobacco and drugs**

**54.**—(1) Intoxicating liquor shall not be permitted in any part of a centre.

(2) No child shall be permitted to smoke or to have tobacco or tobacco products in his possession.

(3) A child shall not be permitted to have in his possession any drug except under a written order of a healthcare officer specifying the nature and quantity of same and the name of the child in question.

(4) Smoking shall not be permitted in any part of a centre.

### **Control of persons and vehicles**

**55.**—(1) Subject to rules 13 and 14:—

(a) no person may enter a centre without the permission of the director;

(b) any person entering or leaving a centre may be stopped, examined and, with his consent, searched;

(c) the director may deny access to the centre to any person who does not consent to being searched and may direct the removal from a centre of any person who does not leave on being required to do so.

(2) Under this rule a search of a person may include a search of any item in that person's possession or of a vehicle.