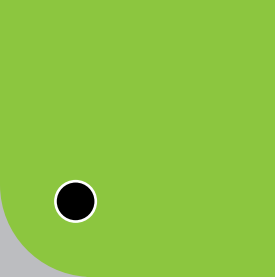


bimberi_{youth}
justice centre

A YOUNG PERSON'S GUIDE TO

BIMBERI YOUTH JUSTICE CENTRE



SECTION 1 ARRIVING AT BIMBERI



WHY AM I AT BIMBERI?

Young people come to Bimberi Youth Justice Centre because:

- they have been arrested by the police and refused bail
- they are remanded in custody by a court
- they have been sentenced by a court to a custodial sentence

or

- they have been transferred from another state or territory.

If you are not sure what this means or why you are at Bimberi, ask to speak to your lawyer (if you have one) or your Bimberi youth worker or case manager.

HOW LONG WILL I STAY AT BIMBERI?

The length of your stay at Bimberi will generally depend on decisions made by a court.

You have the right to be told by the police what you are charged with and your lawyer (if you have one) will answer your questions and speak on your behalf to either the police or the court.



Arriving at Bimberi



HOW DO I GET A LAWYER?

If you don't have a lawyer, you can apply to Legal Aid for one.

Ask your Bimberi youth worker or case manager who will help you apply to Legal Aid for a lawyer. The contact details for Legal Aid and the Aboriginal Legal Service are at the back of this handbook.



CAN I SEE MY LAWYER?

Yes, you can call your lawyer during normal working hours (that is, 9am to 5pm) and ask them to visit you at Bimberi.

Your lawyer may be able to help you with your court matters, for example, if you decide to appeal your sentence or apply for bail.

Arriving at Bimberi



WHAT HAPPENS WHEN I GO TO COURT?

If you have to go to court from Bimberi, your youth worker, case manager or lawyer will explain to you:

- **what** happens when you go to court
- **how** you will get there
- **what** the court room looks like
- **where** you will sit/stand
- **what** you are expected to do in the court room
- **when** you can see your lawyer
- **whether** you can see or contact your family while at court
- **what** happens after your court appearance



Arriving at Bimberi



WHAT HAPPENS WHEN I FIRST ARRIVE AT BIMBERI?

When you first arrive at Bimberi, staff will:

- talk to you about **how you are** and **what is going to happen** for your admission to Bimberi
- **contact your parents or carers** and tell them where you are, how you are, when and how they can contact you and when you will have your next court appearance
- If you are 18 or over you can **choose a suitable person** other than your parent or carer as your contact person.
- After you have arrived at Bimberi **you may be able to contact your lawyer, your parent or carer or a family member or significant person.** You should talk to the youth worker. A 'significant person' is someone who is not a member of your immediate family but is still important to you, for example, someone who has been your friend for a long time or someone who normally lives with you.



Arriving at Bimberi



WHAT ELSE HAPPENS AFTER I ARRIVE AT BIMBERI?

During your admission to Bimberi, you will be:

- asked to **shower** and **change** into clean Bimberi clothing
- **interviewed** by a **youth worker**, who will record your personal details and take a photograph of you for identification reasons. The youth worker will also talk to you about your personal situation and any immediate needs
- **interviewed** by the **nurse** and **mental health staff** to see if you have any immediate health needs
- **assessed** to decide where you will be best placed at Bimberi.
- **shown to your own room** and given information about how to contact the youth worker or control room.

The youth worker will also explain to you:

- **why** you are at Bimberi
- **the rules** at Bimberi, including what you can't have and where you can't go
- your **rights** and **responsibilities** while you are at Bimberi
- what '**case management**' means and when the case management unit will make contact with you
- the role of the '**official visitor**' and what you can do if you have any concerns
- how you can **get more information** to help you understand what is happening, what will happen and what could happen
- **when** information about you will be shared and who it will be shared with.

● If you are not an Australian citizen, you can ask staff to contact someone from your consulate or embassy. Staff may also contact your consulate or embassy if they consider it to be in your best interests.



Arriving at Bimberi

WHAT HAPPENS TO MY CLOTHES AND OTHER PROPERTY?

Your clothing will be washed and stored safely with any other property you have with you when you arrive at Bimberi.

Your clothing and property will be returned to you when you leave Bimberi unless you are told otherwise.



Arriving at Bimberi



WHAT ARE MY RIGHTS AT BIMBERI?

While you are at Bimberi and living away from home you have rights. This means you can expect to be **treated well** and be **well cared for**. Everyone who looks after you is expected to do their best to care for you.

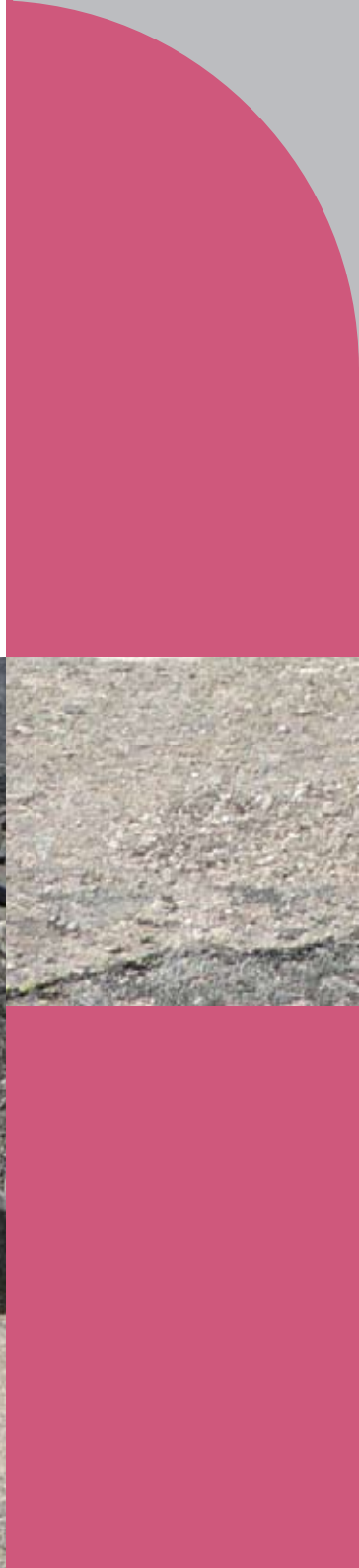
You have the right to:

- be treated with **respect** and **courtesy**
- be **safe** from harm
- **have a say** about what is happening to you
- have a say in **decisions** that are being made about you
- **be told why** decisions are being made for you
- **develop** your talents and do things that are important to you, within reason
- have **contact with your parents or carers**, family members and other people who are significant to you or be told if you can't, unless this is not in your best interests
- have **the opportunity to participate in education or training** and be supported to do your best
- be supported to **develop skills** to live independently and make good decisions
- **see your lawyer**, case manager and other professionals regularly
- have **your health** and dental needs met like other young people
- **talk about your worries or concerns** with Bimberi staff (your youth worker, case manager, team leader or unit manager) or the official visitor, Public Advocate or a commissioner from the Human Rights Commission if you feel you are not being treated fairly
 - **request access to the legal rules** that apply at Bimberi and have someone help you understand the rules
 - request access to **information** about you that is in your Bimberi file.



Arriving at Bimberi

SECTION 2 BEING AT BIMBERI DAY TO DAY



BEING AT BIMBERI DAY TO DAY

You will be provided with all the things you would usually have if you were living with your family or caregivers:

- nutritional **food** and **drink**
- **clothing** and toiletries
- **your own room** with clean bedding
- **haircuts**
- access to **health services**
- access to **education** and programs
- access to **exercise** and recreational facilities (e.g. gym, pool and playing fields)
- access to **suitable books, newspapers, radio,** television and DVDs within reason
- access to **cultural, spiritual or religious** guidance.

Your parent or contact person will be told about serious things that happen to you while you are at Bimberi, such as if you have to go to hospital.

You will be told about serious and important things that happen to your family members, such as a birth or if a serious injury, illness or death occurs.

There is a **daily program** that you will be required to attend. The program may vary depending on your age, needs or goals.

2

Being at Bimberi day-to-day

BEING AT BIMBERI DAY TO DAY *continued*

You will have access to school, vocational training, work, rehabilitative programs and recreation.

You can also learn **life skills**, such as:

- managing your **money**
- **cooking**
- **applying for a job** and getting ready for an interview
- anger management
- **communication** skills
- **computer** skills
- wood work, metal work, art and music.

At all times staff expect you **to be on time, participate, co-operate with requests** by staff and be respectful of others and their property.

You will also be expected to **do chores** to help keep your bedroom clean and tidy, as well as the unit where you will be spending a lot of your time and some parts of Bimberi.

You will be able to **earn points** for positive behaviours. Your points can be used to buy things like **extra phone calls, snack food** and **movies**. Your youth worker will give you more information about this.

2

Being at Bimberi day-to-day

CAN I GO TO SCHOOL AT BIMBERI?

Yes. You can go to school at Bimberi.

- Teaching staff will put together an **'individual learning plan'** for you, so that you get the most out of being at school and can improve your skills in reading, writing and maths.
- **Classes are small** so the teachers can spend lots of time helping you with your school work.
- There are many programs that will help develop your skills in **reading, writing and maths**.
- The teachers can help you study for the Year 10 or Year 12 certificate.
- There are programs that will help you get some work skills, which may **increase your chance of getting a job**.
- You can also do **Canberra Institute of Technology (CIT)** courses at Bimberi, such as horticulture, woodwork and metalwork. In some circumstances you may be able to get leave to attend school or courses outside Bimberi (see the section of the handbook called 'Can I get leave from Bimberi?').
- If you complete a CIT course you will receive a **certificate or statement of attainment**. It will not say that you have done this course while at Bimberi. This could help you when you leave Bimberi and are looking for a job or want to do further courses at CIT.
- **For more information about programs and CIT courses, speak to your case manager and the education staff.**

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Being at Bimberi day-to-day

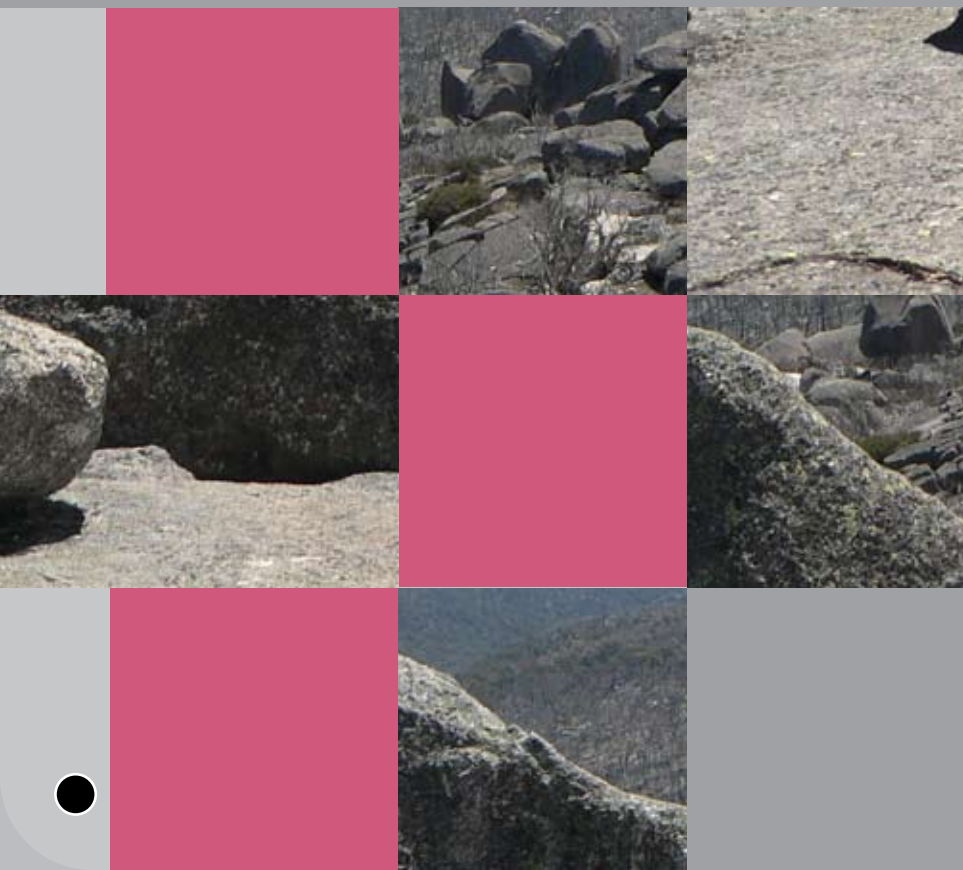
DO I GET FREE TIME AT BIMBERI?

Yes—you will have free time at Bimberi.

- You can use this time to relax, watch television or participate in sport at the gym, oval or swimming pool.
- Your free time is after school or programs, and on weekends.
- Your free time is supervised by youth workers and other Bimberi staff.

2

Being at Bimberi day-to-day



BIMBERI RULES AND YOUR RESPONSIBILITIES

Bimberi rules and your responsibilities

Like home, school and work places **Bimberi has rules** and **acceptable standards of behaviour**—and everyone has to follow them.

The rules are there to make sure that everyone feels **safe, comfortable** and is **treated with respect** while they are at Bimberi.

Soon after you arrive at Bimberi a youth worker will explain the rules to you. You will also be given a copy of the rules.

Some simple rules are:

- You have to **go to school** or participate in programs
- You have to **respond to requests** from staff
- There are different rules for different buildings and areas around Bimberi that everyone must follow and there are some buildings and areas that you can't be in without approval
- There is a list of items that you can not bring or have at Bimberi. These are called prohibited items. Your youth worker will give you a copy of the **list of prohibited items**. It is an offence for you to possess a prohibited item and you may be charged by police if you do.

2

Being at Bimberi day-to-day



WHAT HAPPENS IF I BREAK A RULE

If you break a rule, you have to accept responsibility for your behaviour.

There is a list of behaviours that are not acceptable and are a breach of the rules. These are called **behaviour breaches**. Your youth worker will give you a copy of the list of behaviour breaches. They include behaviour like:

- smoking
- being disrespectful or abusive to someone
- being in a prohibited area without approval
- possessing a prohibited item
- fighting
- theft.

If your behaviour breach is not serious, you will be given **feedback about your behaviour** or given a warning or reprimand.

If your behaviour breach is serious or repeated, a staff member will make a report to the manager.

They will ask you to **explain what happened** and will decide whether you broke the rules.

If it is decided you broke the rules, **you may receive consequences**. The consequences will depend upon what you did, but this could be a fine of points, loss of privileges or a requirement to perform extra chores.

2

Being at Bimberi day-to-day

WHAT HAPPENS IF I BREAK A RULE

continued

If you believe you did nothing wrong, are unhappy with the consequences or feel your treatment was too harsh, you can ask for a review of the decision.

Ask a youth worker or case manager to assist with requesting a review.

If you break the law while you are at Bimberi, the police may be called and they will decide whether you are charged.

If you are charged, you will have to go back to court and the court will decide whether you are guilty of an offence following a hearing. You could be given a longer sentence.

If you are 18 years or over and commit a serious behaviour breach or it is considered to be in your best interests or the best interests of other young people at Bimberi, you may be transferred to an adult correctional centre.

You will be informed if this is to happen.



Being at Bimberi day-to-day



WILL I BE SEARCHED?

Yes. Searches can be made of you, your property, your room or any area at Bimberi, at any time.

- You will be told about the search and the **reasons for the search** and you will be asked to cooperate.
- You will be encouraged to **hand over any items that you should not have** before the search and this may reduce any potential consequences.
- If an item that you should not have is found during a search, staff will remove it and if appropriate, place it with your property and clothes. **If the item is illegal** (e.g. drugs or weapons), **the police will be called.**

2

Being at Bimberi day-to-day



WHAT SORT OF SEARCH?

Different types of searches are carried out to make sure you and others will be safe while at Bimberi and prohibited items are not brought into Bimberi.

Searches of you could include:

- **Ordinary search:** You will be asked to remove outer garments (e.g. your jumper, jacket, hat or shoes) for a youth worker to search.
- **Frisk search:** The youth worker will 'pat down' or run their hands over your clothes and ask you to empty out your pockets.
- **Scanning search:** An electronic device is used (e.g. metal detection wand).
- **Strip search:** You will be asked to remove some or all of your clothes and a search is made of them and a visual check of your body. You will only be asked to remove the clothes covering either the upper half or the lower half of your body at any one time. If you need to have a strip search when you first arrive at Bimberi, staff may ask you to agree to your parent or carer being present if they feel it is in your best interests. If your parent or carer can't be contacted or is not available or if you don't agree with them being there, you may be asked to agree to a support person being there instead. You will be asked whether you would prefer your parent, carer or support person to watch the staff member doing the search, or if you would prefer them not to watch but be in hearing distance of you.
- **Body search:** A doctor will carry out an internal check of your body. These searches are only done when there is a concern that you may be carrying something internally.

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Being at Bimberi day-to-day

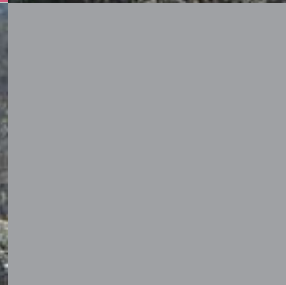
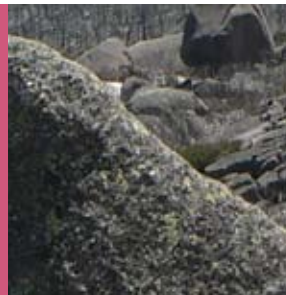
WHO WILL SEARCH ME?

Staff at Bimberi will carry out all the searches except a body search.

- You will be searched by a **staff member of the same sex as you**, except in emergency situations.
- The searching of you will be done in **private**.
- You will **be treated with respect during searches**. The level of search will be the least intrusive as possible.
- At times, Bimberi staff may use a **specially trained dog** to assist with searches at Bimberi.
- If you have any concerns about a search you should speak with either a youth worker, or case manager who will explain the process to you. If you prefer, you can ask to speak to the official visitor about your concerns.

2

Being at Bimberi day-to-day



SECTION 3

VISITING AND COMMUNICATING



WHO CAN VISIT ME AND WHEN?

It is important you keep in contact with your family members and people who are important to you while you are at Bimberi through visits, phone calls and mail.

- There are **rules about visits** to make sure that you and your visitors are safe. Your youth worker will explain these rules to you.
- You can have visits from **family members** and other approved **significant people**.
- You have the right to at least **one visit** from a family member or significant person each week but generally you will have opportunity for **more visits** than this.
- Information about **visiting times, rules and conditions** is available for you, your family and visitors.
- **You can decide** that you don't want to have a visit with someone. Staff can also make a decision to not allow you to have a visit with someone. This will only occur if there are serious concerns that the visit may cause risk to the safety or security at Bimberi or would not be in your best interests.
- **Special visiting arrangements** may be made in some circumstances to ensure the security of Bimberi, your safety or your visitor's safety, for example, non-contact visits. A non-contact visit takes place in a special room with glass separating you and the visitor, and a staff member will be present.
- **If you are a parent** yourself, talk to your youth worker and case manager about special arrangements that can be made for visits with your child.



CAN I MAKE AND RECEIVE PHONE CALLS?



Yes. You can make phone calls to people on your ‘approved contact list’.

Your approved contact list will include:

- your family members
- your lawyer
- approved significant people
- other approved people who work with you or help you.

You have the right to make **four (4) telephone calls** to family members or approved significant people each week but you may be able to make more phone calls than this.

If you want to add someone to your approved contact list, ask your youth worker or case manager to help you.

Information about making and receiving phone calls will be given to you by your youth worker. This includes **who you can call**, the times for making and receiving calls, **how often** and **how long** you can talk for and **who pays** for the calls.

You can decide that you don’t want to receive a phone call. Staff can also make a decision to not allow you to make or receive a phone call. This will only occur if there are serious concerns that the phone call may cause risk to the safety or security at Bimberi or would not be in your best interests.

Your **phone calls may be monitored** which means that staff might listen to check what you have said. If you or the person you are talking to speak about breaking the law, staff will tell the police.



CAN I MAKE AND RECEIVE PHONE CALLS?

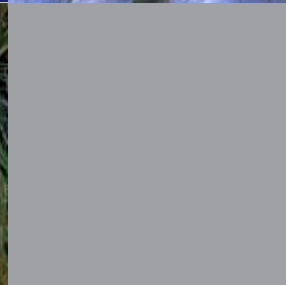
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You have the right to contact with a number of '**accredited people**' through phone calls, mail and visits (see the section at the end of this handbook called 'Who are these people I can talk to?'). Accredited people are:

- your lawyer
- an official visitor
- a commissioner from the Human Rights Commission
- the Public Advocate
- the Ombudsman
- your care and protection worker if you are in care
- your community youth justice worker
- other approved people who work with you or help you.



Visiting and communicating



CAN I WRITE TO PEOPLE AND RECEIVE MAIL?

Yes. You can send mail to and receive mail from your family members, significant people and other people on your approved contact list.

You can decide that you don't want to receive mail from someone. **staff can help you** to read and understand any mail you receive. If you need extra help to read or understand your mail, ask your youth worker or case manager.

Your mail may be **opened and read to ensure it is safe** to be sent or in your best interests to be given to you.

Your mail **may not be sent or given to you** if there are serious concerns that the mail is not safe or in your best interests. You will be told if this happens.

If you are sent mail that contains **prohibited items**, they will be removed. Staff will inform you if this occurs.

If you wish to send some things home, talk to your youth worker or case manager who will assist you.

You can also send mail to and receive mail from:

- your lawyer
- an official visitor
- a commissioner from the Human Rights Commission
- the Public Advocate
- the Ombudsman.

This is called '**protected mail**' and cannot be read by staff unless you agree. Occasionally, it may be opened to remove any potentially dangerous items (e.g. staples or clips). If this happens, it will be done in front of you.



CAN I GET LEAVE FROM BIMBERI?

Yes, there are two ways you can get leave from Bimberi:

1. If there are **exceptional circumstances** (for example, if you have to attend a doctor's appointment or attend a funeral) and only if the leave is approved by the Bimberi manager.
2. If you work hard and there are **no behaviour breaches**, you may earn the privilege of leave. This leave may be for any of the following reasons:
 - to visit family
 - for education or training
 - for work
 - for social outings or sport
 - for community events.

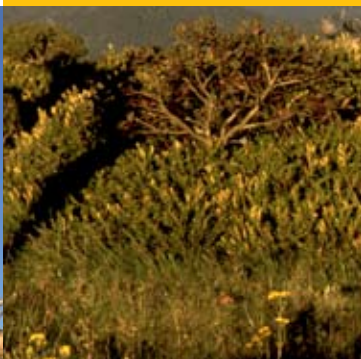
You can apply to the Bimberi manager for leave for any of the above reasons and staff can help you to do this. You can talk to your youth worker or case manager if you want to

If you are **approved to have leave** from Bimberi, you will be given a copy of the rules for leave. These rules require you to carry your leave permit with you all the time and comply with all directions about where you can go, who you can see, what you can do and when you must return to Bimberi.

If you break the leave rules, staff may call the police and you could return to court and have your time at Bimberi extended.



SECTION 4 PLANNING AND HELP



WHAT'S A CASE MANAGEMENT PLAN AND HOW DOES IT HELP ME?

'Case management' is a way of coordinating services to help you while you are at Bimberi and also when you leave Bimberi.

- All young people who are at Bimberi can **have access to case management**. All young people who are sentenced or on a long-term remand will be assigned a case manager. Your case manager will help you develop your individual case management plan.
- A case manager will talk to you about your plan and you will develop the plan together. Your parents or carers will usually be involved in developing the plan. If you are in care, your Care and Protection case worker will be involved in developing the plan with you.

Your case management plan will help you:

- **work out any problems** you have, like using drugs or problems with your family;
- with ways to **change** your offending behaviour for good;
- develop **a plan for when you leave** Bimberi and put all the good things you have learnt into place;
- with **accommodation, income, school, job training** or finding **work**.

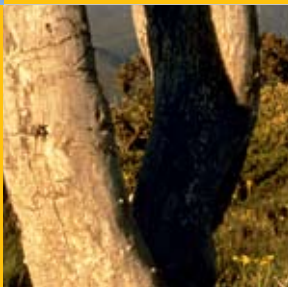
WHAT HAPPENS IF I AM SICK OR HURT OR WORRIED?

You can see a nurse or doctor any time of the day or night. Ask your youth worker or another staff member if you need to see a nurse or doctor.

- **If you become very sick, or are badly hurt**, staff may have to take you to hospital. Staff will contact your parents or carers and let them know if you are sick, hurt and/or are taken to hospital.
- **If you are taking medicine or tablets**, these will be given to you at the right time by the nurse, or by a staff member.
- **If you are worried, feel sad or scared about anything**, you can also talk to your youth worker who will listen, provide advice and assist you if they can. The psychologists at Bimberi can also help with these feelings.
- **If you need to talk to a psychologist or your case manager**, ask your youth worker to help you make an appointment to speak to them.

4

Planning and help



SECTION 5
WHO TO TALK
TO AT BIMBERI



WHO TO TALK TO AT BIMBERI

If you have any worries or concerns about how you have been treated at Bimberi, you can talk to:

- your youth worker
- your case manager
- a team leader
- the unit manager
- official visitors
- the Public Advocate or someone from the Public Advocate's Office
- a commissioner from the Human Rights Commission, or someone from the Human Rights Commission.

You can also write your concerns to the Bimberi manager. Ask your youth worker or case manager to help you write down your concerns.



Who to talk to at Bimberi



STAFF AT BIMBERI

You can talk to the following people who work at Bimberi:

Youth worker

Youth workers are the people you will see every day and the people who you are likely to spend the majority of your time with. They will help you when you first arrive, help settle you into your unit, discuss the rules and daily activity requirements.

Your youth worker is:

If your youth worker is not available and you want to talk to someone, you can talk to another youth worker.

Case manager

You will be appointed a case manager when you arrive at Bimberi. Your case manager will talk to you about your needs and connect you with the services to help you with problems and prepare you for when you leave Bimberi. Your case manager is also the person who has to give the ok for your 'approved contact list'. They also prepare the report for your court appearance and will speak to you prior to your court appearance about what will happen at court.

Your case manager is:

Team leader

A team leader is responsible for all the youth workers who look after you in your unit. If you have any concerns that are not addressed by your youth worker, you can talk to a team leader.

Unit manager

A unit manager is responsible for the unit that you will be living in. They supervise all staff within the unit. If you have any concerns that are not addressed by your youth worker or the team leader, you can then speak to the unit manager.



Who to talk to at Bimberi



PEOPLE WHO VISIT BIMBERI

You can also talk to the following people who visit Bimberi to assist you:

Official visitors

There are people called 'official visitors' who visit Bimberi regularly. Their role is to talk with you, listen to you and help resolve your concerns with staff. You can request to see or talk to the official visitor and this will be arranged by your youth worker or case manager.

You don't need to explain to anyone why you want to see the official visitor. You can ask the official visitor to talk to you in private. You can also make a complaint to the official visitor by telling someone else and asking them to talk to the official visitor on your behalf.

The official visitor will try to address your concerns with staff or they might refer your concerns to another agency if it is better handled by them. The official visitor will tell you if this happens. If you have questions about what happened with your concerns, you can talk to the official visitor.

Public Advocate

The 'Public Advocate' and staff from the Public Advocate's office also visit Bimberi on a regular basis. The role of the Public Advocate is to speak and act on behalf of children and young people, promote your rights and to listen to and investigate your concerns about services provided to you.

The Public Advocate is required to regularly check certain documents about things that have happened at Bimberi, such as searches.

The contact details for the Public Advocate are:

Public Advocate of the ACT

Level 3, 12 Moore St, Canberra ACT 2601

Telephone: (02) 6207 0707



Who to talk to at Bimberi



PEOPLE WHO VISIT BIMBERI

continued

Human Rights Commission

There are three commissioners at the Human Rights Commission. They are the:

- Human Rights Commissioner
- Children and Young People Commissioner
- Health Services Commissioner

You can complain to someone at the Human Rights Commission if:

- you think a staff member at Bimberi has discriminated against you;
- if you are not happy with a health or medical service you have received at Bimberi

or

- if you are not happy with something at Bimberi.

The commissioners can also visit Bimberi and look at documents about things that have happened at Bimberi, such as searches.

The contact details for the Human Rights Commission are:

ACT Human Rights Commission

Level 4, 12 Moore St, Canberra ACT 2601 Telephone: (02) 6205 2222



Who to talk to at Bimberi

PEOPLE WHO VISIT BIMBERI

continued

Contact details for legal services

These are the contact details for legal services that may be able to help you:

Legal Aid Office ACT

4 Mort Street, Canberra ACT 2601

Telephone: (02) 6243 3471

Aboriginal Legal Service

Ground Floor, Fujitsu House

7–9 Moore Street, Canberra ACT 2601

Telephone: (02) 6249 8488



Who to talk to at Bimberi

Remember, if you need help to understand something you have read in this guide, you can ask a Bimberi youth worker or your case manager. They are here to help you.