

Summary of rule	Convention/Law/Rules	Article/Section	Number of Violations
<b>Watchhouses</b>			
Children are never to be kept overnight at the following watchhouses: <b>Brisbane City</b> . Children are only to be kept in custody overnight in certain facilities where operational resourcing requirements prevent earlier transport.	Queensland Police Operational Procedures Manual	Appendix 16.8	206
A child <b>may</b> only be kept in custody in a watchhouse <b>overnight</b> when: (i) it is not reasonably practicable to immediately transport the child to a youth detention centre; (ii) there are no extenuating factors that they are not to, including the perceived need for the child to remain close to significant family members and subjecting the child to lengthy transportation to a youth detention centre only to return soon after to the same watchhouse to attend court; and (iii) the child will appear before a Childrens Court the next day.	Queensland Police Operational Procedures Manual	16.17.5	206
Wherever practicable children are not to be kept in custody in a watchhouse following the: (i) arrest of a child where the child remains in custody and the child's court appearance is delayed; or (ii) sentencing in detention or remanding of a child in custody.	Queensland Police Operational Procedures Manual	16.17.5	206
Police Officers or Watchhouse Officers who have responsibilities in relation to the custody of children are to consider that: (iv) a child held in custody is to, wherever reasonably possible, be held in a detention centre	Queensland Police Operational Procedures Manual	16.17.1 (iv)	32
An officer arresting a child is to request a representative from the Department of Communities, Child Safety and Disability Services to provide information that would help determine appropriate custodial management for the child (e.g. whether the child is violent, potentially suicidal, or has a communicable disease) and where applicable, request a representative from the Department of Communities, Child Safety and Disability Services to nominate a detention centre.	Queensland Police Operational Procedures Manual	16.17.2	11
Police Officers or Watchhouse Officers who have <b>responsibilities</b> in relation to the custody of children are to consider that: (vi) a child in custody is to be <b>treated</b> / supervised in a manner that has <b>due regard to that child's age, level of maturity and vulnerability</b> and is consistent with the child's safe custody at all times	Queensland Police Operational Procedures Manual	16.17.1 (vi)	9

Police Officers or Watchhouse Officers who have responsibilities in relation to the custody of children are to consider that: (v) where all other reasonable alternatives have been exhausted and a child is to be held in a watchhouse/police custody, the child: (a) is to be held for the least possible time; (b) must be segregated from adult prisoners unless there are compelling reasons in the child's interests (e.g. the detention of an Aboriginal or Torres Strait Islander child with Aboriginal or Torres Strait Islander adult prisoners may be safer than isolation where the child is agreeable and the adult is of the same gender); and (c) is to be, if detained for more than four hours, provided with materials for age app	Queensland Police Operational Procedures Manual	16.17.1 (v)		<b>28</b>
<b>Police Mistreatment</b>				
No prisoner shall be subjected to, and all prisoners shall be protected from, <b>torture</b> and other cruel, inhuman or <b>degrading</b> treatment or punishment	Mandela Rules	1		<b>13</b>
No <b>discrimination</b> on the grounds of race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or any other status	Mandela Rules	2		<b>6</b>
Prison system shall not, except as incidental to justifiable separation or the maintenance of discipline, <b>aggravate</b> the suffering inherent in such a situation	Mandela Rules	3		<b>11</b>
Use of chains, irons or other instruments of <b>restraint</b> which are inherently degrading or painful shall be prohibited.	Mandela Rules	47, 48		<b>5</b>
Prison staff shall not, in their relations with the prisoners, <b>use force</b> except in self-defence or in cases of attempted escape, or active or passive physical resistance to an order based on law or regulations.	Mandela Rules	82		<b>5</b>
No child or young person should be subjected to <b>harsh or degrading</b> correction or <b>punishment</b> measures in any institution.	The Riyadh Guidelines	Annex Principle 54		<b>5</b>
Everyone is entitled to all the <b>rights and freedoms (discrimination)</b> set forth therein, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status,	Convention on the Rights of the Child	Preamble, Art 2(1)		<b>1</b>
States undertake to protect the child from all forms of <b>sexual exploitation and sexual abuse</b>	Convention on the Rights of the Child	Art 34		<b>1</b>
No child shall be subjected to <b>torture</b> or other cruel, inhuman or degrading treatment or punishment.	Convention on the Rights of the Child	Art 37(a)		<b>17</b>
No child shall be deprived of his or her liberty unlawfully or <b>arbitrarily</b> .	Convention on the Rights of the Child	Art 37(b)		<b>1</b>

Every child deprived of liberty shall be <b><i>treated with humanity and respect</i></b> for the inherent dignity of the human person, and in a manner which takes into account the needs of persons of his or her age. Every child deprived of liberty shall be <b><i>separated from adults</i></b> unless it is considered in the child's best interest not to do so and shall have the right to maintain contact with his or her family through correspondence and visits, save in exceptional circumstances	Convention on the Rights of the Child	Art 37(c)	<b>1</b>
Detention Centre employee has a positive obligation to immediately <b><i>report harm</i></b> to a child	YJA	s 268	<b>1</b>
CE is responsible for providing services that <b><i>promote health and wellbeing</i></b> , social, cultural and educational development of the child and <b><i>maintaining security</i></b>	YJA	s 263 (a) - (d)	<b>18</b>
CE must ensure the misbehaviour is disciplined in a way that <b><i>respects the child's dignity</i></b> and has regard to the nature of misbehaviour, the reason, child's age and maturity, child's cultural background & beliefs, any trauma experienced and any other vulnerability the chief executive knows about.	YJ Regulations	reg 16 (3)	<b>5</b>
CE must not use, as a way of disciplining the child, <b><i>a) corporal punishment, b) physical contact, c) an act that involves humiliation, physical abuse, emotional abuse or sustained verbal abuse, d) deprivation of sleep, food or visitors, e) withholding letters or other mail sent to or from the child, f) withholding access to a telephone, g) exclusion from cultural, educational or vocational programs, h) medication</i></b>	YJ Regulations	reg 16 (4)	<b>12</b>
CE may authorise a staff member to use approved <b><i>restraints</i></b> to restrain a child in the chief executive's custody <b><i>if the staff member has successfully completed physical intervention training approved by the chief executive.</i></b>	YJ Regulations	reg 18 (2)	<b>206</b>
If approved restraints are used to restrain a child in the chief executive's custody, the chief executive must ensure a) <b><i>all reasonable steps are taken to use the restraints in a way that respects the child's dignity</i></b> and b) <b><i>the restraints are used for no longer than is reasonably necessary</i></b>	YJ Regulations	reg 19 (2)	<b>5</b>
The juvenile justice system should uphold the <b><i>rights and safety</i></b> and promote the physical and mental well-being of juveniles. Juveniles deprived of their liberty have the right to facilities and services that meet all the requirements of <b><i>health and human dignity</i></b> // All personnel should ensure the full protection of the physical and mental health of juveniles, including <b><i>protection from physical, sexual and emotional abuse</i></b> and exploitation, and should take <b><i>immediate action to secure medical attention</i></b> whenever required	Havana Rules	r 31	<b>28</b>

The <b>transport</b> of juveniles should be carried out at the expense of the administration in conveyances with adequate ventilation and light, in conditions that should in no way subject them to hardship or indignity. Juveniles should not be transferred from one facility to another <b>arbitrarily</b> .	Havana Rules	r 26	1
Recourse to instruments of <b>restraint</b> and to <b>force</b> for any purpose should be prohibited. Instruments of restraint and force can only be used in exceptional cases, where all other control methods have been exhausted and failed, and only as explicitly authorized and specified by law and regulation. They should not cause <b>humiliation or degradation</b> , and should be used restrictively and only for the shortest possible period of time / The carrying and use of <b>weapons</b> by personnel should be prohibited in any facility where juveniles are detained.	Havana Rules	r 63 - 65	2
Any <b>disciplinary measures</b> and procedures should maintain the interest of safety and an ordered community life and should be consistent with the upholding of the inherent dignity of the juvenile and the fundamental objective of institutional care, namely, instilling a sense of justice, self-respect and respect for the basic rights of every person. // All disciplinary measures constituting <b>cruel, inhuman or degrading treatment</b> shall be strictly prohibited, including corporal punishment, <b>placement in a dark cell, closed or solitary confinement</b> or any other punishment that may compromise the physical or mental health of the juvenile concerned. The <b>reduction of diet</b> and the <b>restriction or denial of contact</b> with family members should be prohibited for any purpose.	Havana Rules	r 66, 67	9
No member of the detention facility or institutional personnel may inflict, instigate or tolerate any act of <b>torture</b> or any form of <b>harsh, cruel, inhuman or degrading treatment, punishment, correction or discipline</b> under any pretext or circumstance whatsoever	Havana Rules	r 87 (a)	5
a police officer or watchhouse officer is only to use <b>handcuffs</b> and other <b>restraining devices</b> as a precaution against escape, to prevent a prisoner from self-injury or injury to others, or to prevent damage to property.	Queensland Police Operational Procedures Manual	16.12.3	4
Section 615: 'Power to use force against individuals' of the Police Powers and Responsibilities Act makes it lawful for a police officer exercising powers under that or any other Act against an individual, and anyone helping the police officer, to use reasonably necessary force for exercising the powers.	Queensland Police Operational Procedures Manual	16.21.21	20
The juvenile justice system shall emphasize the well-being of the juvenile and shall ensure that <b>any reaction to juvenile offenders shall always be in proportion to the circumstances of both the offenders and the offence</b> .	Beijing Rules	5.1	6

Police officers or watchhouse officers who have <b>responsibilities</b> in relation to the custody of children are to consider that: (vi) a child in custody is to be <b>treated/supervised</b> in a manner that has <b>due regard to that child's age, level of maturity and vulnerability</b> and is consistent with the child's safe custody at all times	Queensland Police Operational Procedures Manual	16.17.1 (vi)	<b>9</b>
<b>Education</b>			
Must offer <b>education, vocational training and work</b> , as well as other forms of assistance that are <b>appropriate and available</b> , including those of a remedial, moral, spiritual, social and health- and sports-based nature	Mandela Rules	4(2)	<b>2</b>
The <b>provision of opportunities</b> , especially <b>educational</b> opportunities, to meet the varying needs of young persons and particularly those who are at <b>social risk or in need of special care</b> and protection	The Riyadh Guidelines	Annex principle 5 (a)	<b>1</b>
Governments are under an <b>obligation</b> to make public education <b>accessible</b> to all young persons	The Riyadh Guidelines	Annex principle 20	<b>1</b>
CE is responsible for providing services that promote health and wellbeing, social, cultural and <b>educational development</b> of the child and maintaining security	YJA	s263 (a) - (d)	<b>18</b>
Juveniles in institutions shall receive <b>care, protection and all necessary assistance-social, educational, vocational, psychological, medical and physical</b> - that they may require because of their age, sex, and personality and in the interest of their wholesome development.	Beijing Rules	26.2	<b>11</b>
Efforts shall be made to provide juveniles, at all stages of the proceedings, with necessary assistance such as lodging, education or vocational training, employment or any other assistance, helpful and practical, in order to facilitate the rehabilitative process.	Beijing Rules	24.1	<b>1</b>
<b>Health</b>			
<b>Access</b> to necessary health-care services free of charge <b>without discrimination</b> on the grounds of their legal status.	Mandela Rules	24(1)	<b>13</b>
A physician or other <b>qualified health-care professionals</b> shall see, talk with and examine every prisoner as soon as possible following his or her <b>admission</b> and thereafter as necessary. Particular attention shall be paid to: (c) Identifying any signs of psychological or other stress brought on by the fact of imprisonment, including, but not limited to, the risk of <b>suicide or self-harm</b> and withdrawal symptoms resulting from the use of drugs, medication or alcohol; and undertaking all appropriate individualized measures or treatment	Mandela Rules	30(c)	<b>13</b>
The health-care service shall provide for the <b>psychiatric treatment</b> of all other prisoners who are in need of such treatment	Mandela Rules	109(3)	<b>5</b>

Special attention should be given to comprehensive policies and strategies for the <b>prevention of alcohol, drug and other substance abuse</b> by young persons (NOTE: this is more within the educational system itself rather than generally)	The Riyadh Guidelines	Annex principle 25	<b>2</b>
The child has the right to the enjoyment of the <b>highest attainable standard of health</b> and to facilities for the treatment of illness and rehabilitation of health. No child should be deprived of his or her <b>right of access</b> to such health care services.	Convention on the Rights of the Child	article 24(1)	<b>9</b>
States shall take all appropriate measures, including legislative, administrative, social and educational measures, to protect children from the illicit use of narcotic <b>drugs</b> and psychotropic substances and to prevent the use of children in the production and trafficking of these substances	Convention on the Rights of the Child	article 33	<b>3</b>
Person may not convey or deliver any <b>drugs</b> or liquor to a person in a detention centre	YJA	s279(d)(i)	<b>1</b>
CE is responsible for providing services that <b>promote health and wellbeing</b> , social, cultural and educational development of the child and maintaining security	YJA	s263 (a) - (d)	<b>18</b>
Child has a <b>right to medical treatment</b> and other health services	YJA	reg 35	<b>13</b>
All personnel should ensure the full protection of the <b>physical and mental health</b> of juveniles, including protection from physical, sexual and emotional abuse and exploitation, and should take immediate action to <b>secure medical attention whenever required</b>	Havana Rules	31	<b>28</b>
The watchhouse manager is to: (i) seek <b>medical advice</b> before the provision of any prescribed drug; (ii) ensure that <b>medication</b> is given at the strength, quantity and times as prescribed on the label of the medication or as per other written instructions;	Queensland Police Operational Procedures Manual	16.13.4	<b>3</b>
Officers are to ensure <b>medication</b> is obtained for prisoners using the most efficient and effective means available in the circumstances. Where possible, government medical officers, other doctors or registered nurses are to be used to dispense and manage medication within watchhouses	Queensland Police Operational Procedures Manual	16.13.4	<b>3</b>

Every juvenile shall <b>receive adequate medical care, both preventive and remedial</b> . Every juvenile has a right to be examined by a physician immediately upon admission to a detention facility. Every juvenile who is ill, who complains of illness or who demonstrates symptoms of physical or mental difficulties, should be <b>examined promptly by a medical officer</b> . A juvenile who is suffering from mental illness should be treated in a specialized institution under independent medical management. <b>Medicines should be administered only for necessary treatment</b> on medical grounds and, when possible, after having obtained the informed consent of the juvenile concerned. In particular, they must not be administered with a view to eliciting information or a confession, as a punishment or as a means of restraint.	Havana Rules	r 49 - 55	14
Juvenile detention facilities should adopt specialized <b>drug abuse prevention and rehabilitation programmes</b> administered by qualified personnel	Havana Rules	r 54	2
A child who is ill, injured, or intoxicated and needs immediate medical treatment must not be admitted to a youth detention centre unless the child has been <b>examined by a medical practitioner and given the immediate treatment required</b> .	Queensland Police Operational Procedures Manual	16.17.1 (viii)	7
CE is responsible for providing services that <b>promote health and wellbeing</b> , social, cultural and educational development of the child and <b>maintaining security</b>	YJA	s263 (a) - (d)	18
Rights of children: To be provided with the necessities of life, these may include: (i) food/water; (ii) appropriate clothing; (iii) toilet/shower facilities; (iv) bedding; (v) exercise; and (vi) <b>medication and medical treatment</b> where necessary	Queensland Police Operational Procedures Manual	Appendix 16.2	80
Juveniles in institutions shall receive <b>care, protection and all necessary assistance-social, educational, vocational, psychological, medical and physical</b> - that they may require because of their age, sex, and personality and in the interest of their wholesome development.	Beijing Rules	26.2	11
While in custody, juveniles shall receive care, protection and all necessary individual assistance-social, educational, vocational, psychological, <b>medical</b> and physical-that they may require in view of their age, sex and personality.	Beijing Rules	13.5	15
Children are to be treated with dignity and respect at all times.	Queensland Police Operational Procedures Manual	Appendix 16.2	80
<b>Suicide</b>			

Police officers or watchhouse officers are to, where a prisoner is considered suicidal or exhibits behaviour which leads to the belief that the prisoner may be suicidal, <b>strip and issue the prisoner with a suicide resistant smock</b> , where available, ensuring that the prisoner's <b>dignity</b> is maintained, prior to being placed in a violent detention cell.	Queensland Police Operational Procedures Manual	16.12.4	4
The responsible officer is to <b>immediately assess and re-assess the level of supervision and healthcare requirements</b> for a prisoner where the prisoner: (i) is suicidal or at risk of self-harm; (ii) is believed to be suicidal or at risk of self-harm; (iii) attempts suicide or self-harm; (iv) has personal circumstances which may have changed whilst in custody,	Queensland Police Operational Procedures Manual	16.13.1	13
Children are to be treated with dignity and respect at all times.	Queensland Police Operational Procedures Manual	Appendix 16.2	80
The responsible officer must take <b>appropriate action aimed at preventing</b> the likelihood of a prisoner committing suicide or self-harm.	Queensland Police Operational Procedures Manual	16.13.1	13
<b>Legal Representation</b>			
Be provided with <b>adequate opportunity, time and facilities</b> to be visited by and to communicate and consult with a legal adviser. Prisoners should have <b>access to effective legal aid</b>	Mandela Rules	61	19
Every untried prisoner has the right to be <b>promptly informed about the reasons for his or her detention</b> and about any charges against him or her	Mandela Rules	119(1)	1
If an untried prisoner does not have a legal adviser of his or her own choice, he or she shall be entitled to have a legal adviser assigned to him or her by a judicial or other authority in all cases where the interests of justice so require and without payment by the untried prisoner if he or she does not have sufficient means to pay.	Mandela Rules	119(2)	16
The child will be provided with an opportunity to be heard in any judicial and administrative proceedings affecting the child, either directly or through a representation or an appropriate body, in a manner consistent with the procedural rules of national law	Convention on the Rights of the Child	article 12(2)	1
Every child deprived of his or her liberty shall have the right to prompt access to legal and other appropriate assistance, as well as the right to challenge the legality of the deprivation of his or her liberty before a court or other competent, independent and impartial authority, and to a prompt decision on any such action.	Convention on the Rights of the Child	article 37(d)	15
The CE must ensure that if a child that is detained asked for help gaining access to a solicitor, the child is given that help	YJA	s275	18



Lawyer representing child is able to access child at all reasonable times	YJA	s276	<b>2</b>
Juveniles should have the right of legal counsel and be enabled to apply for free legal aid, where such aid is available, and to communicate regularly with their legal advisers.	Havana Rules	r 18(a)	<b>17</b>
As soon as practicable upon admission, a child who is lodged in a watchhouse must be provided with information regarding their rights and responsibilities whilst in a watchhouse.	Queensland Police Operational Procedures Manual	16.17.3	<b>16</b>
Whenever a child is arrested and not released with bail in accordance with the provisions of s. 50 of the Youth Justice Act, watchhouse managers are to ensure that the child appears before a children's court as soon as practicable. Where a children's court is not listed to sit within a reasonable time following the delivery of the child into that watchhouse manager's custody, the watchhouse manager is to consider making arrangements to have a children's court convened as soon as practicable.	Queensland Police Operational Procedures Manual	16.17.4	<b>4</b>
Rights of children: To be informed of your situation in relation to bail, court appearance and transfer to a youth detention centre.	Queensland Police Operational Procedures Manual	Appendix 16.2	<b>80</b>
Rights of children: Receive visits by Department of Communities/legal representative whenever practicable.	Queensland Police Operational Procedures Manual	Appendix 16.2	<b>80</b>
Basic procedural safeguards such as the presumption of innocence, the right to be notified of the charges, the right to remain silent, the right to counsel, the right to the presence of a parent or guardian, the right to confront and cross-examine witnesses and the right to appeal to a higher authority shall be guaranteed at all stages of proceedings.	Beijing Rules	7.1	<b>1</b>
Throughout the proceedings the juvenile shall have the right to be represented by a legal adviser or to apply for free legal aid where there is provision for such aid in the country.	Beijing Rules	15.1	<b>16</b>
Rights of children: Make a complaint if you feel a member of the Service has behaved wrongly or inappropriately	Queensland Police Operational Procedures Manual	Appendix 16.2	<b>80</b>
<b>Hygiene</b>			
Be provided with <b>water</b> and with such <b>toilet articles</b> as are necessary for <b>health and cleanliness</b> .	Mandela Rules	18	<b>5</b>
Be provided with an outfit of clothing suitable for the <b>climate</b> and adequate to keep him or her in <b>good health</b>	Mandela Rules	19-21	<b>13</b>
<b>Sanitary installations</b> should be so located and of a sufficient standard to enable every juvenile to comply, as required, with their physical needs in privacy and in a clean and decent manner	Havana Rules	r 34	<b>2</b>

To the extent possible juveniles should have the right to <b>use their own clothing</b> . Detention facilities should ensure that each juvenile has personal clothing suitable for the climate and adequate to ensure good health, and which should in no manner be degrading or humiliating.	Havana Rules	r 36	<b>3</b>
Every juvenile should, in accordance with local ornational standards, be provided with <b>separate and sufficient bedding</b> , which should be clean when issued, kept in good order and <b>changed often enough to ensure cleanliness</b> .	Havana Rules	r 33	<b>6</b>
The watchhouse manager is to: (i) ensure that reasonable necessities are provided for prisoners including <b>sufficient blankets, food and drinking water</b> , as well as access to <b>toilets and showers</b> ; (ii) ensure that all <b>linen, towels, blankets and mattresses</b> provided are clean; (iii) ensure that all materials used by unclean prisoners or prisoners suspected of being infected by contagious diseases are laundered after use; (iv) where practicable, allow a prisoner one hour of exercise daily under supervision; and (v) supply soap, toilet paper, towels, and sanitary napkins to prisoners, where necessary.	Queensland Police Operational Procedures Manual	16.21.15	<b>20</b>
Rights of children: To be provided with the necessities of life, these may include: (i) <b>food/water</b> ; (ii) <b>appropriate clothing</b> ; (iii) <b>toilet/shower facilities</b> ; (iv) bedding; (v) exercise; and (vi) medication and medical treatment where necessary	Queensland Police Operational Procedures Manual	Appendix 16.2	<b>80</b>
<b>Facilities</b>			
Ensure that prisoners with <b>physical, mental or other disabilities</b> have full and effective <b>access</b> to prison life on an equitable basis	Mandela Rules	5(2)	<b>1</b>
Every prisoner shall have the opportunity each day to make <b>requests or complaints</b>	Mandela Rules	56-57	<b>3</b>
Untried prisoners shall be kept <b>separate from convicted</b> prisoners.	Mandela Rules	112(1)	<b>206</b>
Young untried prisoners shall be kept <b>separate from adults</b> and shall in principle be detained in separate institutions.	Mandela Rules	112(2)	<b>206</b>
The State undertakes to ensure the child the necessary protection and care for his or her wellbeing, taking into account the rights and duties of individuals legally responsible for him or her and to that end take appropriate legislative and administrative measures.	Convention on the Rights of the Child	article 3(2)	<b>1</b>

The juvenile justice system should uphold the rights and safety and promote the physical and mental well-being of juveniles. Juveniles deprived of their liberty have the right to facilities and services that meet all the requirements of health and human dignity // All personnel should ensure the full protection of the physical and mental health of juveniles, including protection from physical, sexual and emotional abuse and exploitation, and should take immediate action to secure medical attention whenever required	Havana Rules	31	<b>28</b>
Juveniles who are detained under arrest or awaiting trial ("untried") are presumed innocent and shall be treated as such. Detention before trial shall be avoided to the extent possible and limited to exceptional circumstances. Therefore, all efforts shall be made to apply alternative measures. Untried detainees should be separated from convicted juveniles.	Havana Rules	r 17	<b>206</b>
The detention of juveniles should only take place under conditions that take full account of their particular needs, status and special requirements according to their age, personality, sex and type of offence, as well as mental and physical health, and which ensure their protection from harmful influences and risk situations.	Havana Rules	r 28	<b>5</b>
In all detention facilities juveniles should be separated from adults, unless they are members of the same family	Havana Rules	r 29	<b>206</b>
Juvenile justice services shall be systematically developed and coordinated with a view to improving and sustaining the competence of personnel involved in the services, including their methods, approaches and attitudes.	Beijing Rules	1.6	<b>1</b>
In order to best fulfil their functions, police officers who frequently or exclusively deal with juveniles or who are primarily engaged in the prevention of juvenile crime shall be specially instructed and trained. In large cities, special police units should be established for that purpose.	Beijing Rules	12.1	<b>0</b>
<b>Isolation</b>			
different categories of prisoners shall be kept in separate institutions or parts of institutions, taking account of their sex, age, criminal record	Mandela Rules	11	<b>2</b>
where sleeping accommodation is in individual cells or rooms, each prisoner shall occupy by night a cell or room by himself or herself.	Mandela Rules	12-17	<b>1</b>
have at least one hour of suitable exercise in the open air daily if the weather permits	Mandela Rules	23(1), 23(2)	<b>6</b>
young prisoners, and others of suitable age and physique, shall receive physical and recreational training during the period of exercise. To this end, space, installations and equipment should be provided.	Mandela Rules	23(2)	<b>6</b>
prohibition of indefinite or prolonged solitary confinement	Mandela Rules	43, 44	<b>4</b>

States recognize the right of the child to rest and leisure, to engage in play and recreational activities appropriate to the age of the child and to participate freely in cultural life and the arts.	Convention on the Rights of the Child	article 31(1)	6
A detention centre employee must not separate a child under subsection (1) (d) or (e), a) if the separation is <b>more than 2 hours</b> , including for <b>more than 2 hours longer than the centre's normal hours of overnight confinement</b> -without the approval of the executive director for the detention centre b) if the separation is for more than 12 hours - <b>without informing the chief executive</b> , c) if the separation is for more than 24 hours - <b>without the chief executive's approval</b>	YJ Regulations	reg 21 (2) (3)	7
The principal criterion for the separation of different categories of juveniles deprived of their liberty should be the provision of the type of care best suited to the particular needs of the individuals concerned and the protection of their physical, mental and moral integrity and well-being.	Havana Rules	r 28	5
The design of detention facilities for juveniles and the physical environment should be in keeping with the rehabilitative aim of residential treatment, with due regard to the need of the juvenile for privacy, sensory stimuli, opportunities for association with peers and participation in sports, physical exercise and leisure-time activities. Every juvenile should have the right to a suitable amount of time for daily free exercise, in the open air whenever weather permits, during which time appropriate recreational and physical training should normally be provided. Adequate space, installations and equipment should be provided for these activities. Every juvenile should have additional time for daily leisure activities, part of which should be devoted, if the juvenile so wishes, to arts and crafts skill development.	Havana Rules	r 32 / r 47	7
Any <b>disciplinary measures</b> and procedures should maintain the interest of safety and an ordered community life and should be consistent with the upholding of the inherent dignity of the juvenile and the fundamental objective of institutional care, namely, instilling a sense of justice, self-respect and respect for the basic rights of every person. // All disciplinary measures constituting <b>cruel, inhuman or degrading treatment</b> shall be strictly prohibited, including corporal punishment, <b>placement in a dark cell, closed or solitary confinement</b> or any other punishment that may compromise the physical or mental health of the juvenile concerned. The <b>reduction of diet</b> and the <b>restriction or denial of contact</b> with family members should be prohibited for any purpose.	Havana Rules	r 66, 67	9
Juveniles in institutions shall be kept separate from adults and shall be detained in a separate institution or in a separate part of an institution holding adults	Beijing Rules	26.3	206

The disposition of the competent authority shall be guided by the following principles: ( b ) <b>Restrictions on the personal liberty of the juvenile shall be imposed only after careful consideration and shall be limited to the possible minimum;</b>	Beijing Rules	17.1	<b>3</b>
Rights of children: Segregation from the opposite sex and violent child prisoners and in normal circumstances from adult prisoners.	Queensland Police Operational Procedures Manual	Appendix 16.2	<b>80</b>
Juveniles under detention pending trial <b>shall be kept separate from adults</b> and shall be detained in a separate institution or in a separate part of an institution also holding adults.	Beijing Rules	13.4	<b>206</b>
<b>Food</b>			
Food of <b>nutritional value</b> adequate for health and strength, of <b>wholesome quality and well prepared</b> and served drinking water shall be available to every prisoner	Mandela Rules	22	<b>9</b>
Every detention facility shall ensure that every juvenile receives food that is suitably prepared and presented at <b>normal meal times and of a quality and quantity</b> to satisfy the standards of dietetics, hygiene and health and, as far as possible, religious and cultural requirements. <b>Clean drinking water</b> should be available to every juvenile at any time.	Havana Rules	r 37	<b>10</b>
CE must not use, as a way of disciplining the child, a) corporal punishment, b) physical contact, c) an act that involves humiliation, physical abuse, emotional abuse or sustained verbal abuse, d) deprivation of sleep, <b>food</b> or visitors, e) withholding letters or other mail sent to or from the child, f) withholding access to a telephone, g) exclusion from cultural, educational or vocational programs, h) medication	YJ Regulations	reg 16 (4)	<b>12</b>
Any <b>disciplinary measures</b> and procedures should maintain the interest of safety and an ordered community life and should be consistent with the upholding of the inherent dignity of the juvenile and the fundamental objective of institutional care, namely, instilling a sense of justice, self-respect and respect for the basic rights of every person. // All disciplinary measures constituting <b>cruel, inhuman or degrading treatment</b> shall be strictly prohibited, including corporal punishment, <b>placement in a dark cell, closed or solitary confinement</b> or any other punishment that may compromise the physical or mental health of the juvenile concerned. The <b>reduction of diet</b> and the <b>restriction or denial of contact</b> with family members should be prohibited for any purpose.	Havana Rules	r 66, 67	<b>8</b>

The watchhouse manager is to: (i) ensure that reasonable necessities are provided for prisoners including sufficient blankets, <b>food and drinking water</b> , as well as access to toilets and showers; (ii) ensure that all linen, towels, blankets and mattresses provided are clean; (iii) ensure that all materials used by unclean prisoners or prisoners suspected of being infected by contagious diseases are laundered after use; (iv) where practicable, allow a prisoner one hour of exercise daily under supervision; and (v) supply soap, toilet paper, towels, and sanitary napkins to prisoners, where necessary.	Queensland Police Operational Procedures Manual	16.21.15	<b>20</b>
Rights of children: To be provided with the necessities of life, these may include: (i) <b>food/water</b> ; (ii) appropriate clothing; (iii) toilet/shower facilities; (iv) bedding; (v) exercise; and (vi) medication and medical treatment where necessary	Queensland Police Operational Procedures Manual	Appendix 16.2	<b>80</b>
<b>Contact</b>			
Prisoners shall be allowed, under necessary supervision, to <b>communicate with their family and friends</b> at regular intervals	Mandela Rules	58	<b>18</b>
The State will respect the right of the child who is separated from their parents to <b>maintain personal relations and direct contact with one or both parents on a regular basis</b> , unless it is contrary to the child's best interest.	Convention on the Rights of the Child	article 9(3)	<b>8</b>
Where the child is separated from their parents as a result of detention or imprisonment, the State Party shall, upon request, <b>provide the parents</b> or another member of the family <b>with the essential information concerning the whereabouts</b> of the child unless the provision of the information would be detrimental to the well-being of the child. The submission of such a request will not lead to adverse consequences for the child concerned.	Convention on the Rights of the Child	article 9(4)	<b>3</b>
Child has the right to make <b>phone calls</b>	YJ Regulations	reg 29(1)	<b>10</b>
Child has the right to make phone calls <b>out of the hearing of another person</b>	YJ Regulations	29(2)	<b>1</b>
Child has the right to <b>send</b> and <b>receive letters</b> and other mails (correspondence)	YP Regulations	reg 30(1)	<b>1</b>

<p>Every means should be provided to ensure that juveniles have <b>adequate communication with the outside world</b>, which is an integral part of the right to fair and humane treatment and is essential to the preparation of juveniles for their return to society. Juveniles should be allowed to <b>communicate with their families, friends and other persons</b> or representatives of reputable outside organizations, to leave detention facilities for a visit to their home and family and to receive special permission to leave the detention facility for educational, vocational or other important reasons. // Every juvenile should have the right to receive <b>regular and frequent visits</b>, in principle once a week and not less than once a month, in circumstances that respect the need of the juvenile for privacy, contact and unrestricted communication with the family and the defence counsel. // Every juvenile should have the right to <b>communicate in writing or by telephone</b> at least twice a week with the person of his or her choice, unless legally restricted, and should be assisted as necessary in order effectively to enjoy this right. Every juvenile should have the right to receive correspondence.</p>	<p>Havana Rules</p>	<p>r 59 - 61</p>	<p>14</p>
<p>Police officers or watchhouse officers who have responsibilities in relation to the custody of children are to consider that: (vii) permitting <b>daily visits by family</b> members, legal representatives or other appropriate adults to children in watchhouses contributes significantly to the wellbeing and morale of such children</p>	<p>Queensland Police Operational Procedures Manual</p>	<p>16.17.1 (vii)</p>	<p>4</p>
<p>CE must not use, as a way of disciplining the child, a) corporal punishment, b) physical contact, c) an act that involves humiliation, physical abuse, emotional abuse or sustained verbal abuse, d) <b>deprivation of sleep, food or visitors, e) withholding letters or other mail sent to or from the child, f) withholding access to a telephone</b>, g) exclusion from cultural, educational or vocational programs, h) medication</p>	<p>YJ Regulations</p>	<p>reg 16 (4)</p>	<p>12</p>
<p>Police officers or watchhouse officers are to advise, as soon as possible, <b>contact the child's parent(s)</b> or adult caregiver, where practicable and an officer from the Department of Communities,</p>	<p>Queensland Police Operational Procedures Manual</p>	<p>16.17.3</p>	<p>16</p>

Any <b>disciplinary measures</b> and procedures should maintain the interest of safety and an ordered community life and should be consistent with the upholding of the inherent dignity of the juvenile and the fundamental objective of institutional care, namely, instilling a sense of justice, self-respect and respect for the basic rights of every person. // All disciplinary measures constituting <b>cruel, inhuman or degrading treatment</b> shall be strictly prohibited, including corporal punishment, <b>placement in a dark cell, closed or solitary confinement</b> or any other punishment that may compromise the physical or mental health of the juvenile concerned. The <b>reduction of diet</b> and the <b>restriction or denial of contact</b> with family members should be prohibited for any purpose.	Havana Rules	r 66, 67	<b>9</b>
Rights of children to receive other <b>visitors and to make and receive phone calls</b> subject to operational and security needs.	Queensland Police Operational Procedures Manual	Appendix 16.2	<b>80</b>
In the interest and well-being of the institutionalized juvenile, the <b>parents</b> or guardians shall have a <b>right of access</b> .	Beijing Rules	26.5	<b>5</b>
<b>Searches</b>			
Searches shall not be used to <b>harass, intimidate</b> or unnecessarily <b>intrude</b> upon a prisoner's <b>privacy</b>	Mandela Rules	50-53	<b>2</b>
Unless authorized by the chief executive, a search of a child detained in a detention centre <b>must not involve the removal of any of the child's clothes</b> . If the search involves touching the child, the chief executive must ensure the search is conducted by – for a child who identifies as transgender or intersex – a detention centre employee of the sex requested by the child; or otherwise – a detention centre employee of the same sex as the child.	YJ Regulations	reg 24	<b>1</b>
The chief executive may direct a child who is to be, or is being, searched to <b>partly undress</b> . The chief executive must not direct the child to undress in the presence of, for a child who identifies as transgender or intersex – a person who is not of the sex requested by the child; or otherwise – a person of the opposite sex to the child. The search must be conducted in a way that provides reasonable privacy and must be conducted as quickly as possible. The child must be allowed to dress as soon as the search is finished.	YJ Regulations	reg 25	<b>1</b>



<p>Watchhouse managers are to ensure that, as soon as practicable after entering their watchhouse:</p> <p>(i) Corrective Services prisoners and youths from youth detention centres are subjected to at least a pat-down search; and</p> <p>(ii) Corrective Services prisoners additionally change into prison browns (unless they are dressed in suitable attire to attend court) under the supervision of watchhouse staff of the same sex as the prisoner. In such a case, the provisions of the sub-section titled 'General considerations in determining whether to conduct an unclothed search' of s. 16.10.2: 'Unclothed searches of persons' of this chapter do not apply.</p>	<p>Queensland Police Operational Procedures Manual</p>	<p>16.10.3</p>	<p style="text-align: right;"><b>1</b></p>
<p><b>Detention as a last resort</b></p>			
<p>Watchhouse managers are to seek advice for the selection of a suitable detention centre for placement of the child pending that child's court appearance from the nearest area office of the Department of Communities, Child Safety and Disability Services.</p>	<p>Queensland Police Operational Procedures Manual</p>	<p>16.17.4</p>	<p style="text-align: right;"><b>4</b></p>
<p>Detention pending trial shall be used only as a <b>measure of last resort</b> and for the <b>shortest possible period of time</b>. Whenever possible, detention pending trial shall be replaced by alternative measures, such as close supervision, intensive care or placement with a family or in an educational setting or home.</p>	<p>Beijing Rules</p>	<p>13.1 and 13.2</p>	<p style="text-align: right;"><b>21</b></p>