

NORTHERN TERRITORY OF AUSTRALIA

YOUTH JUSTICE LEGISLATION AMENDMENT ACT 2016

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Act No. 36 of 2016

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# NORTHERN TERRITORY OF AUSTRALIA

Act No. 36 of 2016

An Act to amend the *Youth Justice Act* and *Youth Justice Regulations*

[Assented to 20 December 2016]  
[Second reading 25 October 2016]

The Legislative Assembly of the Northern Territory enacts as follows:

## Part 1 Preliminary matters

### 1 Short title

This Act may be cited as the *Youth Justice Legislation Amendment Act 2016*.

### 2 Commencement

This Act commences on the day fixed by the Administrator by *Gazette* notice.

## Part 2 Amendment of Youth Justice Act

### 3 Act amended

This Part amends the *Youth Justice Act*.

### 4 Section 151AA amended

(1) Section 151AA, definition ***appropriate***, paragraph (b)

*omit*

circumstances.

*insert*

circumstances; and

- (2) Section 151AA, definition ***appropriate***, after paragraph (b)

*insert*

- (c) in accordance with a determination made by the Commissioner under the Regulations in relation to the use of approved restraints.

## **5 Section 151AB replaced**

Section 151AB

*repeal, insert*

### **151AB Approved restraints**

Only the following are ***approved restraints***:

- (a) handcuffs;
- (b) ankle cuffs;
- (c) waist restraining belts.

## **6 Section 158A amended**

- (1) Section 158A(1)(d) and (e)

*omit, insert*

- (d) the period for which the approved restraint was used, including the date and time at which the restraint was applied and the date and time at which the restraint was removed;
- (e) details of any assessment made during the period for which the restraint was in use, including:
  - (i) the time the assessment was made; and
  - (ii) the outcome of the assessment; and
  - (iii) the reasons for that outcome;

(2) After section 158A(2)

*insert*

(3) In this section:

**assessment** means an assessment as to whether:

- (a) the restraint can be removed; or
- (b) the restraint is still necessary.

### **Part 3 Amendment of Youth Justice Regulations**

#### **7 Regulations amended**

This Part amends the *Youth Justice Regulations*.

#### **8 Regulation 30 amended**

Regulation 30(1)

*omit*

all words after "relation"

*insert*

to any of the following:

- (a) the management and operation of a detention centre;
- (b) the maintaining of order within a detention centre;
- (c) a grievance or complaint of a detainee;
- (d) the health, welfare, safe custody and protection of a detainee.

### **Part 4 Expiry of Act**

#### **9 Expiry of Act**

This Act expires on the day after it commences.