

# Victorian Senior Practitioner Direction

## Prohibition of seclusion for children and young people with disability

November 2024

### Introduction

This document provides information regarding a Direction issued by the Victorian Senior Practitioner on 25 November 2024 which prohibits the use of seclusion on persons with disability under 18 years of age.

The Direction has been issued in accordance s27(5B) of the *Disability Act 2006* (Disability Act) which gives the Victorian Senior Practitioner special powers to prohibit the use of restrictive practices or a specified form of restrictive practice on persons with a disability, including NDIS participants.

The Direction applies to all disability service providers and registered NDIS providers operating in Victoria, and can be found here: [Restrictive practice prohibitions under section 27.pdf](#)

### What is seclusion?

The Disability Act defines regulated restrictive practices to have the same meaning as s6(a) of the *NDIS (Restrictive Practices and Behaviour Support) Rules 2018* (NDIS Rules).

**'Seclusion'** - *"the sole confinement of a person with disability in a room or a physical space at any hour of the day or night where voluntary exit is prevented, or not facilitated, or it is implied that voluntary exit is not permitted"*

Seclusion remains a regulated restrictive practice under the NDIS rules and must be reported to the NDIS Quality and Safeguards Commission if used.

If unplanned use occurs in response to imminent risk of harm to others, you are advised to contact the Victorian Senior Practitioner at [victorianseniorpractitioner@dffh.vic.gov.au](mailto:victorianseniorpractitioner@dffh.vic.gov.au) for further support to review and implement new practices.

### Why has this prohibition been issued?

Recommendation 6.36 from the Final Report of the Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability includes a recommendation for state and territory governments to immediately prohibit the use of seclusion in disability service settings on children and young people (i.e. persons under 18 years of age)

In the development of this Direction, the Victorian Senior Practitioner has consulted with the Chief Psychiatrist, Public Advocate, Commissioner for Children and Young People, Disability Commissioner, NDS Victoria, Social Services Regulator, Disability Worker Screening Commissioner, and the NDIS Quality and Safeguards Commission.

The issuing of this Direction means that Victoria now joins New South Wales and the Northern Territory as jurisdictions that prohibit seclusion for persons under 18 years of age.

### Further information and support

All current Directions and Prohibitions issued by the Victorian Senior Practitioner can be found here: <https://www.dffh.vic.gov.au/victorian-senior-practitioners-directions-and-prohibitions>.

Service providers who require further information or support are also encouraged to contact the Victorian Senior Practitioner at [victorianseniorpractitioner@dffh.vic.gov.au](mailto:victorianseniorpractitioner@dffh.vic.gov.au).