COPP 12.1 Management of Perth Children’s Court Custody Centre

**Youth Detention Centre**

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| **Principles**In the context of the following: [Australian Human Rights Commission National Principles for Child Safe Organisations, 2018](https://childsafe.humanrights.gov.au/sites/default/files/2019-02/National_Principles_for_Child_Safe_Organisations2019.pdf)Risk management strategies focus on preventing, identifying and mitigating risks to children and detainees.[Australasian Youth Justice Administrators Standards, 2009](https://www.ayja.org.au/wp-content/uploads/2020/03/2009-AJJA-Juvenile-Justice-Standards-Part-1-and-2.pdf)Custodial environments are safe and secure.Access to legal representation and advocacy is facilitated.Force or instruments of restraint are only used on a child or young person in response to an unacceptable risk of escape or immediate harm to themselves or others, and/or in accordance with legislation and are used for the shortest possible period of time. |

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# Scope

This Commissioner’s Operating Policy and Procedure (COPP) applies to all Custodial Officers and staff employed to work at a Youth Detention Centre (YDC) and the Perth Children’s Court Custody Centre.

# Policy

The purpose of this document is to establish clear standards and procedures around the management of detainees and adults held in custody at Perth Children’s Court (PCC) Custody Centre. This will ensure security of PCC Custody Centre, care of the Person in Custody (PIC) and safety of staff and the community.

The Custody Centre’s responsibility is to manage detainees and adults who are:

1. remanded into custody
2. sentenced to detention/imprisonment
3. awaiting court appearance
4. stood down to enable Judicial Officers to seek further information/additional time for consideration etc.

PCC Custody Centre functions are governed by the legislative powers detailed in the *Young Offenders Act 1994*, *Young Offenders Regulations 1995, Court Security and Custodial Services Act 1999* and *Court Security and Custodial Services Regulations 1999*.

Custodial Officers at PCC Custody Centre have Authorisation to Exercise Schedule of Powers by the Department of Justice Chief Executive Officer (CEO) to administer the *Court Security and Custodial Services Act 1999* and *Court Security and Custodial Services Regulations 1999*.[[1]](#footnote-1)

The procedures detail the admission, movement, care, security and discharge of people in custody and is administered through a rigorous recording and reporting regime which provides transparency and accountability.

The management of people in custody shall occur in a manner that treats the person with dignity, humanity and respect whilst providing continued custody and adequate safety and security for both the community and staff.

# General Requirements

## Custodial Officers authorisation

### All Custodial Officers employed in the PCC Custody Centre shall require an “Authorisation to Exercise Schedule of Powers”, signed by the CEO, prior to undertaking any duties.

### Upon conclusion of employment at the PCC Custody Centre “Authorisation to Exercise Schedule of Powers”, will need to be revoked by the CEO.

### From time to time, prisoners may be required to be held in custody at the PCC Custody Centre for the purposes of attending to court matters. All Custodial Officers working within the PCC Custody Centre shall manage such prisoners in accordance with this COPP.

## Staff movements

### All Custodial Officers movements shall occur via the pedestrian gate at the rear sallyport, other than the initial movement of the Senior Officer PCC Custody Centre. They may access the area using the key obtained from the contractor in charge of court security at the commencement of shift.

### The Senior Officer PCC Custody Centre shall ensure that their personal property is immediately stored in the staff lockers.

## Pre-court proceedings

### Prior to accepting a PIC at the PCC Custody Centre, the Senior Officer shall ensure that the following tasks are completed on each court sitting day:

### A log is commenced in the Occurrence Book.

### All holding cells and communal areas where persons in custody have access shall be searched. Searching of cells, buildings and environs, shall occur in accordance with [COPP 9.6 – Searching](https://dojwa.sharepoint.com/sites/intranet/prison-operations/Pages/bhdc-copps.aspx).

### The day’s Transfer and Discharge sheet, and relevant Offender Movement Information (OMI) sheets, are reviewed.

### Vehicles and staff are allocated for the day’s movements, and cells allocated to persons in custody, pending their arrival into the PCC Custody Centre.

### All CCTV monitors, cameras, radios and other security equipment are to be checked to ensure functionality and checks are to be recorded in the Occurrence Book.

### A daily equipment checklist is to be recorded and signed in relation to restraints, protective and emergency equipment.

### Secure all doors in preparation for the arrival of detainees and prisoners (PCC Custody Centre Control Room (Control Room)/Staff Room doors etc).

## Meals

### The responsible Senior Officer shall ensure that 1 meal (plus morning/afternoon tea) is available for each person in custody appearing in court the following day.

### Extra meals shall also be provided to cater for those additional persons remanded in custody.

## Population counts

### The Senior Officer PCC Custody Centre shall ensure that population counts are conducted in accordance with [COPP 6.8 – Population Counts](https://dojwa.sharepoint.com/sites/intranet/prison-operations/Pages/bhdc-copps.aspx).

### In the event a population count is incorrect, the Senior Officer PCC Custody Centre shall authorise a lockdown of the Custody Centre, conduct an emergency count, and if the count remains incorrect, contact the WA Police Force and the Banksia Hill (BH) YDC Superintendent.

## Issuing of medication

### Medication required by detainees/prisoners in custody at the PCC Custody Centre shall only be issued in accordance with [COPP 3.2 – Issue of Medication by Youth Custodial Officers](https://dojwa.sharepoint.com/sites/intranet/prison-operations/Pages/bhdc-copps.aspx).

# PCC Custody Centre Security

## Placement in holding cells

### Females in custody shall be placed in separate holding cells to males in custody at all times.

### Detainees and adults shall be placed in separate holding cells at all times.

### Detainees and adults received from WA Police Force custody or back of court shall be placed in separate holding cells to persons attending court currently in custody to reduce the risk of contraband being trafficked.

### PIC who are listed as requiring ‘General Segregation’ on their OMI sheet shall be placed in separate holding cells.

### The Senior Officer PCC Custody Centre shall ensure that all alerts on the Total Offender Management Solution (TOMS) are reviewed to ensure that any risks regarding the placement of persons are appropriately managed.

## Opening secure doors

### In all cases, doors to cells occupied by persons in custody shall be unlocked only with a minimum of 2 Custodial Officers in attendance, however where a cell is occupied by more than 5 people, 3 Custodial Officers shall be in attendance.

### Doors to holding cells shall be locked at all times; both when occupied, and when they are vacant.

### Only 1 cell door is to be open at any time, and only 1 person in custody is to be moved into and out of the PCC Custody Centre at any time.

### Control Room doors are to remain locked at all times unless being used to enter or exit the Control Room.

### The access door into the PCC Custody Centre shall not be opened if the secure Sallyport door is open.

### The Court corridor door from the PCC Custody Centre and access door (red door) is not to be opened when the door to a cell occupied by a PIC is open.

## Escorting to and from Courtrooms

### The following procedures apply when transferring persons in custody to and from courtrooms:

1. All PIC shall be escorted by a minimum of 2 Custodial Officers when being moved to or from the holding cells/courts. Additional staff may be allocated by the Senior Officer PCC Custody Centre, if any concerns exist in regard to the person in custody’s behaviour.
2. Custodial Officers escorting the PIC shall position themselves in the seating allocated to staff undertaking the escort to prevent assaults to the judiciary and escapes from the unsecured door to the public gallery.
3. If 2 PIC are appearing in a courtroom at the same time, a minimum of 3 Custodial Officers shall be in attendance.
4. PIC appearing in court shall not be permitted to wear hats, caps, hoods, singlets or tank tops, or t-shirts with offensive language or pictures displayed.
5. Upon the conclusion of the court appearance, the PIC is to be requested to leave the courtroom via the ante room door first, followed by the escorting Custodial Officers.
6. When an incident involving members of the public occurs in a courtroom, the supervising Custodial Officers shall remove the PIC from the court to ensure their continued safety and wellbeing.
7. Supervising Custodial Officers shall follow the directions of security staff within the courtroom, if present.

## Searches of a PIC

### Custodial Officers are authorised to conduct a search of a PIC if they believe on reasonable grounds the person has something that is likely to adversely affect the security, good order or management of the PCC Custody Centre[[2]](#footnote-2).

### Custodial Officers are authorised to conduct 1 or more of the following[[3]](#footnote-3):

1. search involving an electronic device (e.g., handheld metal detector)
2. visual inspection
3. basic search
4. full search.

### Custodial Officers shall refer to [COPP 9.6 – Searching](https://dojwa.sharepoint.com/sites/intranet/prison-operations/Pages/bhdc-copps.aspx) for further guidance with regards to searching, including but not limited to:

### determining the most appropriate type of search

### procedures for each search type

### determining the gender of the searching officer

### continuity of evidence.

## Use of restraints

### The power to restrain a PIC at PCC is limited to the following circumstances[[4]](#footnote-4), to prevent the:

### person injuring themselves or another person

### person from causing damage to property

### escape where no physical barriers exist to prevent escape or movement between custodial places.

### Authorised instruments of restraints are detailed within [COPP 8.2 – Use of Force and Restraints](https://dojwa.sharepoint.com/sites/intranet/prison-operations/Pages/bhdc-copps.aspx).

### Custodial Officers shall refer to the Training Academy Instruments of Restraint training manual for further guidance in regard to the use of restraints.

### Restraints may be applied for the movement to or from a courtroom as determined by the Senior Officer PCC Custody Centre.

### Restraints shall be removed upon the PIC entering the courtroom.

### Restraints are not to be applied to a PIC while appearing in a courtroom.

### If the Senior Officer PCC Custody Centre has concerns regarding the PIC behavior, which cannot be adequately managed by the use of additional Custodial Officers, they can make a request to the Magistrate or Judge for restraints to be applied, using the [Authority to Apply Restraints During a Court Appearance form.](https://dojwa.sharepoint.com/sites/intranet/prison-operations/Pages/bhdc-copp-forms.aspx)

### In most cases, a PIC shall not be restrained while housed in a holding cell, unless deemed necessary. A restrained person shall not be housed with an unrestrained person in custody in the same holding cell.

## Use of force

### Custodial Officers are authorised to use such reasonable force to[[5]](#footnote-5):

### Apply a restraint or undertake a search.

### Ensure compliance with an order.

### Custodial Officers are only authorised to use a degree of physical force which is the minimum required to control the behaviour of a PIC.

### Escorting staff collecting the PIC shall be verbally advised of the use of force so that the appropriate action can be taken in regard to a further medical assessment upon their arrival at the facility.

### Custodial Officers shall refer to [COPP 8.2 – Use of Force and Restraints](https://dojwa.sharepoint.com/sites/intranet/prison-operations/Pages/bhdc-copps.aspx) for further guidance in regards to the use of force.

## Incident reporting

### Custodial Officers shall ensure that TOMS reports are submitted in accordance with [COPP 8.1 – Incident Reporting](https://dojwa.sharepoint.com/sites/intranet/prison-operations/Pages/bhdc-copps.aspx) in the event of any incident occurring at PCC Custody Centre. If applicable, the relevant facility is to be verbally advised of the incident in order for follow up action to be taken, as required. This advice should be documented in the Incident Report/minutes.

### In the event that a PIC does not have a TOMS profile and is involved in an incident, an ‘incident without offender’ is to be submitted on TOMS.

### In the event of a critical incident, or other incident where additional assistance (staff/vehicles) is required, the Senior Officer PCC Custody Centre is to notify the BHYDC Senior Officer Operations who will arrange assistance as required.

# Admission into Custody

## Authorising documentation

### PICs may be accepted into the PCC Custody Centre as follows:

1. the YDC (detainees)
2. prisons (prisoners)
3. WA Police Force (adults and detainees in custody)
4. Perth Children’s Court (‘back of court’) (adults and detainees).

### Documentation required to authorise the continued custody of the above mentioned people includes 1 or more of the following:

1. arrest warrant
2. new charges
3. application in a prosecution
4. remand warrant
5. detention warrant
6. warrant of commitment
7. warrant in the first instance signed by 2 Justices of the Peace or a Magistrate
8. withdrawal of bail undertaking
9. hospital order.

### PCC Custody Centre staff shall not accept Police Briefs from the WA Police Force escorting officers. WA Police Force officers are to be requested to take the Brief to Prosecutions for action.

### Custodial Officers shall complete the [Admission to PCC Custody Centre form](https://dojwa.sharepoint.com/sites/intranet/prison-operations/Pages/bhdc-copp-forms.aspx) for all PIC, being admitted to PCC Custody Centre.

## Admission from the YDC, prisons, or WA Police Force via escort vehicle

### The following processes are to be undertaken when accepting any detainee (or prisoner) via escort vehicle:

1. The Senior Officer PCC Custody Centre is to be notified of the arrival of the escort vehicle.
2. Custodial Officers are to record the following details in the PCC Occurrence Book:
* The registration number of the vehicle.
* The names and work locations (e.g., the YDC, WA Police Force, Special Operations Group (SOG), contractor, or relevant prison) of the staff undertaking the escort.
* Number of PICs on board.
* Names of PICs on board.
* Sending location (in the event that a PIC is being escorted from a Corrective Services location (the YDC, or Prison).
1. When all information has been obtained, the escort vehicle will be permitted to enter the external Sallyport.
2. The Senior Officer PCC Custody Centre, or delegate, is to meet the escort vehicle at the external Sallyport.
3. The Senior Officer PCC Custody Centre is to direct WA Police Force escorting officers or SOG officers (in the event of a High Security Escort), to unload all firearms and store them in the Firearms Cabinet prior to the PIC alighting the vehicle. The key to the Firearms Cabinet shall be retained by the WA Police Force/SOG officers who are in charge of the firearms.
4. The Senior Officer PCC Custody Centre shall ensure the PICs paperwork is correct.
5. In regard to accepting a person in custody from WA Police Force the Senior Officer PCC Custody Centre shall ensure that if there are any concerns in regard to a person’s fitness for custody, WA Police Force are to be requested to seek medical clearance prior to acceptance to the PCC Custody Centre.
6. The disembarkation process from escort vehicles should occur with 1 PIC at a time.
7. Custodial Officers shall advise each PIC being admitted into the PCC Custody Centre the processes to be undertaken, including:
* General information about movements into and out of the PCC Custody Centre for the purposes of their court appearance, including the issuing of meals.
* The location and use of audio cell call buttons.
* The necessity to follow the instructions of the Custodial Officers in the event of an emergency.
1. The Senior Officer PCC Custody Centre shall ensure that the PIC remains on Temporary Placement (TPL) if received from the YDC, or a new TOMS record is created (if not previously in custody).
2. A new record for adults from prisons shall not be created on TOMS (the adult shall remain on TPL from their sending prison), however in the event that an adult is received from WA Police Force, the adult is to be received on TOMS.
3. Upon the admissions process being completed in accordance with this section and the PIC being accepted into custody, WA Police Force/SOG are to collect any firearms stored in the Firearms Cabinet and return the key to the Senior Officer PCC Custody Centre.
4. Prior to their departure the Senior Officer will check to confirm no firearms or ammunition remain within the PCC Custody Centre.
5. Custodial Officers are to record the departure of the vehicle in the PCC Custody Centre Occurrence Book.

## Admission of persons from ‘back of court’

### The following processes are to be undertaken when accepting any person not previously held in custody in the PCC Custody Centre, from court.

### Control Room Custodial Officer will receive advice from the Court Orderly in the event that a person requires collection from a courtroom after being:

1. remanded into custody
2. sentenced to detention/imprisonment
3. stood down to enable Judicial Officers to seek further information/additional time for consideration etc.

### The Control Room Custodial Officer is to ensure that the Senior Officer PCC Custody Centre is advised of the impending admission, who will then make the necessary arrangements for the transportation of the PIC to the YDC /prison (if required).

### 2 allocated Custodial Officers shall collect the person from the relevant Court, along with the Court Result Sheet (from the Court Orderly) and deliver them to the PCC Custody Centre.

### The admissions process shall be conducted by 2 Custodial Officers, and shall include:

1. The Senior Officer PCC Custody Centre shall ensure a new TOMS record is created, if not previously in custody.
2. Ensuring the PIC is advised of the outcome of the Court, including advising of any new court date set (if applicable).
3. Advising the PIC of the process to be undertaken in regard to admission to custody, including in regard to searching and the management of property.
4. Arranging for mental health services to visit with the PIC in the PCC Custody Centre, if there are any concerns in regard to risk to self or psychological issues (including if requested by court staff).
5. Removing all property from the possession of the PIC and storing it securely for transfer to the YDC (or in the case of a prisoner, to prison).

## Admission of a new detainee into the custody of a youth detention centre

### The following process is to be undertaken in the event that a detainee is remanded in custody or sentenced to a period of detention (after arrest by WA Police Force or from the back of court):

1. The detainee is to be given the YDC clothing to change into, and the opportunity to shower where time permits.
2. The detainee should be asked to provide the name and telephone number of their next of kin/responsible person.
3. PCC Custodial Officers should then attempt to contact their responsible person to advise them that the detainee is in custody and the expected time they will arrive at the YDC.
4. The Senior Officer PCC Custody Centre shall ensure the detainee is transferred on TOMS to the YDC.

## Admission of a new prisoner into custody

### In addition to the above, the following process shall be undertaken where an adult not received from a prison, is remanded in custody or sentenced to a period of imprisonment:

1. The Senior Officer PCC Custody Centre shall contact the transport contractor to arrange for the prisoner to be taken to the appropriate prison. All relevant paperwork is to be handed to the staff conducting the escort, along with the prisoner(s) property.
2. The prisoner will not be issued prison clothing and will not be required to shower whilst in custody at the PCC Custody Centre.

## Property and personal cash/gratuities

### On admission of a detainee, not on a Return Order into PCC Custody Centre, the Senior Officer PCC Custody Centre shall ensure that all property is checked against the DCS C220 property form.

### Upon admission of a person into PCC Custody Centre received from the WA Police Force, the Senior Officer PCC Custody Centre shall ensure that all property is reviewed against the WA Police Force P10 property form, and a [Property Sheet form](https://dojwa.sharepoint.com/sites/intranet/prison-operations/Pages/bhdc-copp-forms.aspx) is completed and the property is stored in a clear security sealed bag.

### Any discrepancies in regard to property are to be reported immediately to the staff conducting the escort.

### In the event that property is lost/damaged, refer to [COPP 4.1 – Property](https://dojwa.sharepoint.com/sites/intranet/prison-operations/Pages/bhdc-copps.aspx).

### In the event a person is received into PCC Custody Centre from back of court, a [Property Sheet form](https://dojwa.sharepoint.com/sites/intranet/prison-operations/Pages/bhdc-copp-forms.aspx) shall be completed and the property shall be stored in a clear security sealed bag.

### All valuable property shall be stored in a locked cabinet in the Control Room. The key to the cabinet is to be held by the Senior Officer PCC Custody Centre.

### In the event a PIC is released from Court unexpectedly, they will be advised to contact the YDC to collect their property and cash.

### In the event a prisoner is released from the PCC Custody Centre, they shall be requested to contact the sending prison to arrange with them the return of their property and cash.

# At Risk Persons in Custody

### In the event that any issues regarding risk to self are identified an At Risk Management System (ARMS) referral is to be made on TOMS, and the YDC / the prison’s Movements Officer is to be verbally advised of the issue by the Senior Officer PCC Custody Centre.

### ARMS entries on the detainee/prisoner TOMS Supervision Log are to be completed while a detainee or prisoner on ARMS is held at the PCC Custody Centre.

### At a minimum, 2 entries are required over the course of custody.

### Any adverse reaction to court outcomes are to be documented and the frequency of PIC checks are to be increased.

### In regard to prisoners, ARMS or SAMS entries on the ARMS or SAMS Observation and Interaction Record – Offender in Transit report shall be completed for return to the relevant prison.

### In the event there are concerns for the mental health of a PIC, Custodial Officers shall advise the Senior Officer PCC Custody Centre who shall contact the PCC Mental Health Services.

# Discharge from Custody

## Discharge of a PIC

### The Senior Officer PCC Custody Centre shall ensure:

* 1. Court release paperwork is forwarded to the Movements Coordinator at the YDC, to provide evidence of the outcome of the court proceedings.
	2. The Senior Officer at the YDC shall be contacted to undertake the appropriate checks.
	3. When satisfied as to the legality of the release from custody, the YDC Senior Officer (or Senior Officer Operations, if applicable) shall provide written confirmation to the Senior Officer PCC Custody Centre of the approval to release the PIC from custody.
	4. Upon receiving approval of a PIC to be released from custody, the Senior Officer PCC Custody Centre shall ensure that:
* The [Discharge Checklist](https://dojwa.sharepoint.com/sites/intranet/prison-operations/Pages/bhdc-copp-forms.aspx) is completed.
* Bail forms are completed and signed as appropriate.
* The PICs personal property and Private Cash/Gratuities are returned to them.
* A Discharge Interview is conducted and entered in TOMS.
* The PIC is discharged from TOMS.
* Where applicable, the notification requirements regarding an At-Risk PIC are adhered to (refer to [COPP 13.1 Release](https://dojwa.sharepoint.com/sites/intranet/prison-operations/Pages/bhdc-copps.aspx)).
* The Victim Mediation Unit is advised in accordance with the requirements of the Victim Mediation Register Alert on TOMS (if applicable, refer TOMS alerts).
* An ANCOR P308 form is served on the detainee (if applicable, refer TOMS alerts).

### The YDC Custodial Officer for Movements is to ensure that any further administrative processes are conducted in accordance with [COPP 13.1 – Release](https://dojwa.sharepoint.com/sites/intranet/prison-operations/Pages/bhdc-copps.aspx).

### All paperwork is to be forwarded to the YDC for placement on the detainee’s Unit File in Case Planning.

## Discharge of a prisoner

### The Movements Officer/Reception Officer shall prepare for the possible release of a prisoner with no return order from court custody in accordance with [COPP 14.6 – Prisoners Release from Custody (Prison)](https://dojwa.sharepoint.com/sites/intranet/prison-operations/Pages/prison-copps.aspx) and [COPP 12.2 – Coordination of Escorts (Prison)](https://dojwa.sharepoint.com/sites/intranet/prison-operations/Pages/prison-copps.aspx).

### The Senior Officer PCC Custody Centre shall ensure:

* 1. Court release paperwork is forwarded to the Movements Officer at the relevant prison, to provide evidence of the outcome of the court proceedings.
	2. All paperwork (including OMI sheet, medical paperwork, bail documents etc.), is to be forwarded to the relevant prison via the internal mail system for placement on the prisoner’s Unit File/Warrant File.

## Discharge from custody after receiving from WA Police Force or back of the court

### The Senior Officer PCC Custody Centre shall ensure:

1. Court release paperwork is received from the relevant court and checked against the paperwork authorising their custody to ensure that all charges for which the person was admitted into custody are resolved.
2. The PIC personal property and Private Cash/ Gratuities are returned to them.

# Emergency Management

## General

### In the event of an emergency, PCC Custody Centre staff shall adhere to the PCC Building Emergency Control Procedures.

### In the event that emergency services vehicles require emergency access to the PCC Custody Centre, once their identity and purpose for attendance has been established, all movements are to cease (including into and out of the PCC Custody Centre) and all PICs are to be secured.

### A population count is to be taken, and the vehicle is to be escorted into the sally-port. Further action is to be taken in accordance with directions given by emergency services personnel.

## Custody centre evacuation

### In the event that the PCC Custody Centre must be evacuated, the following process shall apply:

1. Custodial Officers, PICs shall be evacuated to either the internal assembly area (secure sally port) or External Assembly Area.
2. The Floor/Deputy Floor Warden shall ensure that all staff and PICs are evacuated by checking all cells/office space/toilets and closing all doors prior to leaving the centre and shall advise the Chief Warden via radio that the evacuation is complete.
3. In the event that evacuation is required to an unsecure location (e.g., external assembly area), each PIC may be secured to others to maintain their custody (using flexi cuffs or handcuffs).
4. PICs may be secured to an immovable object (outside the fire risk zone OR in the off-site evacuation area) using metal handcuffs. Staff shall ensure that 2 points of restraint are maintained at all times.
5. Once evacuation is complete, the Senior Officer PCC Custody Centre or delegate is to conduct a population count of staff and PICs and await further instruction from the Chief Warden.
6. In the event that evacuation is required using a secure vehicle(s), the Senior Officer PCC Custody Centre shall coordinate the movement and embarkation of PICs onto available vehicles.

### In the event that evacuation is required when a PIC is attending court from the PCC Custody Centre, the following process shall apply:

1. The Custodial Officer and the PIC shall return to the PCC Custody Centre, unless returning to the area presents a risk to safety.
2. If unable to return to the PCC Custody Centre, the Custodial Officer shall handcuff the PIC and depart the court to the External Assembly Area and shall report their movements via radio to the Floor/Deputy Floor Warden.

### If evacuation is required, the Control Room Custodial Officer shall:

1. alert all staff in radio contact (in courts and in vehicles) of a Code red evacuation via the radio
2. switch off all electrical power
3. collect the Control Room Occurrence Book
4. assist with the evacuation of PICs.

### Drivers of vehicles shall return to the PCC Custody Centre as soon as practicable to assist with an evacuation.

### If the vehicle is at capacity, the vehicle shall first return any detainees to the YDC prior to returning to PCC Custody Centre.

### All other available Custodial Officers shall assist with the evacuation of persons in custody.

# Annexures

## Related COPPS

* [COPP 3.2 – Issue of Medication by Youth Custodial Officers](https://dojwa.sharepoint.com/sites/intranet/prison-operations/Pages/bhdc-copps.aspx)
* [COPP 4.1 – Property](https://dojwa.sharepoint.com/sites/intranet/prison-operations/Pages/bhdc-copps.aspx)
* [COPP 6.8 – Population Counts](https://dojwa.sharepoint.com/sites/intranet/prison-operations/Pages/bhdc-copps.aspx)
* [COPP 8.1 – Incident Reporting](https://dojwa.sharepoint.com/sites/intranet/prison-operations/Pages/bhdc-copps.aspx)
* [COPP 8.2 – Use of Force and Restraints](https://dojwa.sharepoint.com/sites/intranet/prison-operations/Pages/bhdc-copps.aspx)
* [COPP 9.6 – Searching](https://dojwa.sharepoint.com/sites/intranet/prison-operations/Pages/bhdc-copps.aspx)
* [COPP 13.1 – Release](https://dojwa.sharepoint.com/sites/intranet/prison-operations/Pages/bhdc-copps.aspx)
* [COPP 12.2 – Coordination of Escorts (Prison)](https://dojwa.sharepoint.com/sites/intranet/prison-operations/Pages/prison-copps.aspx)
* [COPP 12.6 – Prisoners Release from Custody (Prison)](https://dojwa.sharepoint.com/sites/intranet/prison-operations/Pages/prison-copps.aspx)

## Definitions and acronyms

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| --- | --- |
| Term | Definition  |
| Commissioner’s Operating Policy and Procedures (COPP) | COPPs are policy documents that provide instructions to staff as to how the relevant legislative requirements are implemented. |
| Detainee | Means a person who is detained in a detention centre as defined in s3 of the *Young Offenders Act 1994*. |
| Guiding Principles for Corrections in Australia, 2018 | The guidelines and the accompanying principles constitute outcomes or goals to be achieved, rather than a set of absolute standards or laws to be enforced. They represent a statement of intent that each Australian State and Territory can use to develop their own range of relevant legislative policy and performance standards to reflect best practice and community demands. |
| Hand held metal detector | A device used to detect metallic items on a person or within areas or goods/property. |
| Full search | A full search is a strip search as referred to in r86 (1) of the *Young Offenders Regulations 1995*. A full search is conducting using the half and half method outlined in COPP 9.6 – Searching. |
| Occurrence Book | A legal record where events are recorded. |
| Offender Management Information (OMI) | Offender Movement Information (TOMS printout) sheet |
| Pat search | A pat search is a search of a person's outer clothing by a Custodial Officer who runs their hands firmly along the outer garments of a person to detect any concealed and/or unauthorised items. The term ‘pat’ search is the same as ‘frisk’ search as defined within section 3 of the *Court Security and Custodial Services Act 1999.* |
| Person in Custody (PIC) | A person of any age who is in custody under a law of the State or the Commonwealth, except-* an intoxicated detainee;
* a person who is detained under the Mental Health Act 2014 unless the person has been apprehended by a police officer under sections 99, 149 and 156 of that Act.
 |
| Perth Children’s Court (PCC) Custody Centre  | The designated secure area within the Perth Children’s Court which has cells to detain detainees, prisoners and persons in custody who are appearing in court on the day.  |
| Prisoner | Means a person who is committed to prison as defined in s3 of the *Prisons Act 1981.* |
| Senior Officer (SO) | A Youth Custodial Officer who is substantive to this rank, or a Unit Manager, or Youth Custodial Officer acting in the capacity of Senior Officer, appointed by the Chief Executive Officer with reference to s11 of the *Young Offenders Act 1994.* |
| Senior Officer (SO) Operations | The Youth Custodial Officer designated by the Superintendent to have responsibility for management of overall operations of BHDC. |
| Staff | Any employee or officer of the Department of Justice, including a Public Service Officer, Youth Custodial Officer or an employee of a particular class; and any contractor who provides services to the Department of Justice. |
| Superintendent | In accordance with section 3 of the *Young Offenders Act 1994, ‘*The person in charge of a detention centre’. |
| Total Offender Management Solution (TOMS) | The computer application used by the Department of Justice for the management of detainees in custody. |
| Western Australia Police Force  | Western Australian Police Force |
| Youth Custodial Officer (YCO) | In accordance with section 11 (1a)(a) of the *Young Offender Act 1994*, a Youth Custodial Officer is a person appointed as a custodial officer for non- administrative functions. |
| Youth Detention Centre (YDC) | A gazetted detention centre declared by the Minister to be a detention centre to accommodate male and female, remanded or sentenced detainees, refer s. 13 Young Offenders Act 1994. |

## Related legislation

* *Young Offenders Act 1995*
* *Young Offenders Regulations 1995*
* *Court Security and Custodial Services Act 1999*
* *Court Security and Custodial Services Regulations 1999*

# Assurance

It is expected that:

* The YDC will undertake local compliance in accordance with the [Compliance Manual](https://dojwa.sharepoint.com/sites/intranet/department/standards/Pages/monitoring.aspx).
* Women and Detainees, Head Office will undertake management oversight as required.
* Operational Compliance will undertake checks in accordance with the [Operational Compliance Framework](https://dojwa.sharepoint.com/sites/intranet/department/standards/Pages/monitoring.aspx).
* Independent oversight will be undertaken as required.

# Document Version History

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| --- | --- | --- | --- | --- |
| Version no | Primary author(s) | Description of version | Date completed | Effective date |
| 1.0 | Operational Policy | Approved by the Director Operational Projects, Policy, Compliance and Contracts | 18 May 2021 | 7 June 2021 |
| 2.0 | Operational Policy | Approved by the Director Operational Projects, Policy, Compliance and Contracts | 24 November 2021 | 24 November 2021 |
| 3.0 | Operational PolicyMemo Reference:D23/959552Content Manager Reference: S23/101461 | Endorsed by the A/ Assistant Commissioner Women and Detainees | 9 November 2023 | 18 December 2023 |
| Approved by the Deputy Commissioner Operational Support | 15 November 2023 |

1. s25 of the Court Security and Custodial Services Act 1999 [↑](#footnote-ref-1)
2. s8 Schedule 2 Division 2 Court Security and Custodial Services Act 1999 [↑](#footnote-ref-2)
3. r14 Court Security and Custodial Services Regulations 1999 [↑](#footnote-ref-3)
4. s12(2) Schedule 2 Division 2 Court Security and Custodial Services Act 1999 [↑](#footnote-ref-4)
5. s26 Part 2 Division 2 Court Security and Custodial Services Act 1999 [↑](#footnote-ref-5)