COPP 10.1 Prisoner Behaviour Management

Prison

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| PrinciplesAs referenced in the[Guiding Principles for Corrections in Australia, 2018](http://justus/intranet/prison-operations/Documents/guidelines-for-corrections-in-aus.pdf)*:*2.1.8 Restrictions placed on prisoners/offenders are no more than necessary to maintain safety and security and are based on individual assessment of risk.2.3.2 Prisoners are provided a minimum of one hour out of cell per day, and in fresh air (weather permitting).3.3.6 Signs that a prisoner’s physical or mental health has or will be injuriously affected by continued sanctions or segregation/separation are recognised and considered, taking into account the safety of other prisoners, staff and the security and good order of the prison.3.3.7 Prisoners placed in segregation/separation and/or placed in a management or high security unit are managed under the least restrictive conditions consistent with the reason for their separation and to the extent necessary to minimise the associated risk. Prisoners are informed of the reason for their separation in a form and language they understand.3.3.9 Where prisoners who present an extreme risk are accommodated in specifically designated area(s), they are subject to a transparent and accountable management regime.3.4.1 Rules and routines provided to prisoners encourage their responsible behaviour and support the security, good order and management of the prison.3.4.3 Prisoner discipline is lawful, proportionate and timely. Discipline decisions are based on evidence and are made without bias. 3.4.4 Prisoners/offenders are aware of the reasons for any imposed sanctions and acknowledge they understand their rights of appeal. Appeals are facilitated by an independent decision maker in a timely manner.3.4.5 Responses to non-compliance contribute to offender accountability and maintain community safety.  |

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#

# Scope

This Commissioner’s Operating Policy and Procedure (COPP) applies to all prisons administered by or on behalf of the Department of Justice (the Department).

# Policy

Prisoners have minimum entitlements which must be maintained, except where the security or good order of a prison requires otherwise.

All prisoners shall be advised of the expected standards of behaviour and required to maintain them (refer [Appendix A – Standard of Behaviour Expected of Prisoners](#_Appendix_A_)).

All prisons shall manage prisoners in accordance with the behaviour management system set out in this COPP. The system shall reward a prisoner’s good behaviour with eligibility to increased privileges and a lower level of supervision. Conversely, poor behaviour shall result in a reduction of privileges and a higher level of supervision. The behaviour management system will ensure that prisoners will always have access to the minimum prisoner entitlements (section 3.1).

Prison staff should be aware that a prisoner who presents with poor self-care or unusual behaviours may be due to a mental illness or cognitive impairment. Prison staff shall review alerts on TOMS and consider a referral to Mental Health Services if there are any mental health or cognitive functioning concerns. Prisoners can also request access to relevant support services (eg Mental Health Services), as required.

The behaviour management system set out in this policy shall not be used as a method of punishment but provide a means to improve the behaviour of prisoners who do not meet expected standards of behaviour. Prisoners considered to have committed a prison offence shall be charged and receive a penalty where the charge is determined in accordance with [COPP 10.5 – Prison Offences and Charges](http://justus/search/Pages/results.aspx?k=assurance%20framework#k=Monitoring%20and%20Compliance%20framework).

# Prisoner Entitlements

## Minimum Entitlements

### All prisoners are entitled access to certain conditions, services, activities and items. These minimum entitlements are informed by legislation, common law and other relevant instruments.

### These minimum entitlements include:

|  |  |
| --- | --- |
| **Accommodation** | Within a ventilated and well-lit cell or otherwise, with clean bedding and access to sanitation facilities. |
| **Clothing and footwear** | Prison issued, and in certain circumstances and subject to certain requirements in accordance with the *Prisons Regulations 1982[[1]](#footnote-1)* (eg court appearances), the prisoner's own clothes. |
| **Consulate contact** | Prisoners identified as foreign nationals are offered contact details of the relevant consulate office and the opportunity and means to make contact. |
| **Exercise/Out of cell** | Weather permitting, access to open air for a minimum of three hours each day.  |
| **Food and water** | Provided as per unit routine. |
| **Gratuities** | Rate in accordance with level of labour performed*[[2]](#footnote-2).* |
| **Health care** | Provided with physical and mental health care that meets their essential physical and psychological needs. |
| **Information** | The following information[[3]](#footnote-3) shall be provided, when a prisoner requests:* contents of the warrant or other instrument instructing the prison to hold the prisoner in custody
* where the dates are available, the prisoner’s anticipated date of discharge or the date upon which they become eligible for release on parole
* information recorded on their gratuity account
* details contained in the records relating to the prisoner’s property
* employment information.
 |
| **Legal documents** | Access to legal documents relating to any matter the prisoner has currently before the courts. |
| **Mail services** | Receipt and dispatch of mail[[4]](#footnote-4).  |
| **Personal hygiene** | Daily access to showers and personal hygiene items. |
| **Religious and spiritual observance[[5]](#footnote-5)**  | Access to religious and spiritual observance, provided as practicable. |
| **Socialisation**  | Daily socialisation with other prisoners, Prison Officers and other staff. Further information is provided within [Appendix B – Prisoner Access to Socialisation](#_Appendix_B_–_1) |
| **Telephone calls** | Calls to legal advisor regarding current and pending charges, Ombudsman’s office and one welfare call per day to approved social contacts. |
| **Visits** | Subject to the requirements of the *Prisons Act 1981*, receipt of visitors[[6]](#footnote-6):* Remand prisoners - shall be permitted to receive social visits as soon as practicable after admission. They shall be permitted to receive two social visits per week, thereafter, subject to the physical capacity of the prison’s visiting facilities[[7]](#footnote-7), at times specified in [COPP 7.2 – Social Visits Appendix A – Visit Times Friends and Family](https://justus/intranet/prison-operations/Pages/prison-copps.aspx). A remand prisoner may be permitted to receive more than two social visits per week when there is physical capacity available within the prison’s visiting facility.
* Sentenced prisoners - access to one contact social visit per week.
* All prisoners - access to visits from official visitors in accordance with the *Prisons Act 1981[[8]](#footnote-8).*
 |
| **Writing materials** | Paper and pen/pencil provided to allow prisoners to write to social and official recipients. |

## Suspending an entitlement

### The Superintendent may temporarily suspend entitlements, due to an emergency and for the purpose of maintaining the good order and security of the prison.

### In the event entitlements are suspended, the Superintendent shall ensure:

1. the reasons for suspending entitlements is documented on TOMS
2. the prisoner is informed of the reasons for suspension.

### The Superintendent shall reinstate entitlements as soon as the emergency or the good order and security of the prison has been resolved.

# Prisoner Privileges

## General Requirements

### A privilege is a concession or item, in addition to any entitlement provided under legislation or written instrument, that a Superintendent can extend to a prisoner.

### The Superintendent must provide the minimum privileges for each prisoner, specific to their supervision level (refer [Appendix C – Supervision Levels and Minimum Privileges](#_Appendix_B_–)).

### The Superintendent shall consider long term prisoners (sentence of 10 or more years to serve) when allocating privileges, visits and cell placement. Long term prisoner’s may be permitted to order items outside of the prison canteen ([COPP 8.4 – Prisoner Finances](https://justus/intranet/prison-operations/Pages/prison-copps.aspx)), and may have access to additional visits with family and friends ([COPP 7.2 – Social Visits](https://justus/intranet/prison-operations/Pages/prison-copps.aspx)). Long term prisoners may also be considered for placement in a single cell ([COPP 5.1 – Prisoner Accommodation](https://justus/intranet/prison-operations/Pages/prison-copps.aspx)).

## Granting of additional privileges

### The Superintendent or delegate may grant additional privileges above the minimum privileges, as an incentive or reward for good behaviour.

### The Superintendent or authorised person shall record on TOMS notes any additional privileges granted.

## Withdrawing Privileges

### Subject to the minimum entitlements, the Superintendent may withdraw a privilege if, in their opinion:

1. the privilege is being misused
2. the prisoner has engaged in poor behaviour, such as not following a lawful order
3. the privilege constitutes a threat to, or breach of, the good order and security of the prison
4. the removal of the privilege is warranted for some other reason.

### The withdrawal of a privilege shall be relevant to the misconduct of the prisoner unless the withdrawal of that privilege relates to an overall regression in Supervision Level.

## Notification to Prisoner and Recording Loss of Privileges

### Before a privilege is withdrawn, the Prison Officer must observe the following process:

* Provide an incident report
* Inform the prisoner of the facts relating to the event and the consequences of their behaviour
* The prisoner is interviewed in accordance with local procedures and may present their own facts to the Superintendent or authorised person
* After careful consideration by the Prison Officer withdrawing the privilege, they shall inform the prisoner of the decision.

### The Prison Officer must record the loss of privileges on the ‘Loss of Privilege’ (LOP) module on TOMS and provide a copy of the LOP Sheet to the prisoner.

### Information provided to prisoners when regressing a prisoner or withdrawing a privilege shall contain specific concerns about the reason (ie describe the specific behaviour leading to the regression).

### When recording details, Prison Officers shall avoid general comments (eg – “for the good order of the prison” or “inappropriate behaviour”). The information shall document the particular circumstances (eg ‘used abusive language to an officer’, ‘disobeyed order given by an officer’ or ‘caused damage to telephone’).

### The prisoner may request a review of the withdrawal of an additional privilege in accordance with [COPP 9.2 – Prisoner Complaints](http://justus/intranet/prison-operations/Pages/prison-copps.aspx).

# Prisoner Behaviour

### Generally, newly received prisoners shall commence on Standard Supervision on the presumption of good behaviour. Each supervision level adds or removes privileges.

### All prisoners are required to meet the expected standards of behaviour as detailed in [Appendix A – Standard of Behaviour Expected of Prisoners](#_Appendix_A_).

### Superintendents shall manage prisoner behaviour in accordance with this COPP.

# Recording Supervision Level Changes

### A Senior Officer can initiate a change in supervision level and provide the recommendation to the Senior Management Team (SMT) for consideration.

### Once approved by the SMT, the Senior Officer shall record any changes to a prisoner’s supervision level in TOMS. When recording such changes, they shall:

1. detail the specific circumstances (eg ‘found gambling’, ‘disobeyed order given by an officer’ or ‘damaged a telephone’)
2. avoid general comments (eg ‘for the good order of the prison’ or ‘inappropriate behaviour’).

# Prisoner Supervision Levels

### Superintendents shall, where applicable, manage prisoners in accordance with the following four levels of supervision (refer [Appendix C](#_Appendix_B_–) – Supervision Levels and Minimum Privileges):

* Earned Supervision
* Standard Supervision
* Basic Supervision
* Close Supervision.

### Close and Earned Supervision Levels shall only apply to those prisons with suitable facilities.

### The Unit Managers or Senior Officers shall ensure prisoners are provided with details of their Supervision Level and a copy of the TOMS Supervision Level Decision Slip when it is changed or upon the prisoner’s request.

# Standard Supervision

## Reason for placement

### The Superintendent shall ensure all newly received remand and sentenced prisoners are placed on Standard Supervision on the presumption of good behaviour, unless the Superintendent is of the opinion there are circumstances specific to the prisoner that warrant a different supervision level.

## Transferred prisoners

### If a prisoner on Standard Supervision is transferred to another prison, the Superintendent at the new prison shall continue the prisoner on Standard Supervision.

### The Superintendent shall assess and consider granting additional privileges, in keeping with the options available at their prison.

## Notification of placement

### In accordance with [COPP 2.2 – Orientation](http://justus/intranet/prison-operations/Pages/prison-copps.aspx), the Superintendent shall ensure the prisoner is advised during Orientation of their Supervision Level and the expected standards of behaviour.

### The prisoner must continue to demonstrate that they meet all expected standards of behaviour in order to maintain their Standard Supervision level and to qualify for progression to Earned Supervision.

## Review of placement

### Review of this supervision level is not required unless the prisoner breaches the expected standards of behaviour as per [Appendix A](#_Appendix_A_) – Standard of Behaviour Expected of Prisoners.

# Earned Supervision

## Reason for placement

### A prisoner on Standard Supervision can apply to progress to Earned Supervision (provided that level of supervision is available at the prison).

### If the Superintendent is satisfied the prisoner has displayed a high standard of good behaviour and has met the necessary requirements in accordance with the [Earned Supervision Application Form](http://justus/intranet/prison-operations/Pages/copp-forms.aspx), they may approve a prisoner's request to progress to Earned Supervision.

### Earned Supervision may include placement in a self-care unit.

### The Superintendent shall have procedures in place to assess and reward suitable prisoners, in keeping with the options available at their prison.

## Notification of placement

### The Unit Manager shall notify the prisoner of the outcome to progress to Earned Supervision, and:

1. provide the prisoner with a copy of the Supervision Level Recommendation/Decision from TOMS
2. record the outcome on TOMS
3. place a copy of the outcome on the hard copy unit file, if required.

# Basic Supervision

## Reason for placement

### A Senior Officer may recommend to the SMT that a prisoner be placed on Basic Supervision if they demonstrate poor or inappropriate standards of behaviour, which may include:

1. refusing to accept employment (sentenced prisoners only)
2. dismissal from employment
3. breach of expected cell standards (eg poor hygiene, possession of items not lawfully issued)
4. on-going display of unacceptable behaviour, following a loss of privileges.

### Although Basic Supervision is a reduction in privileges, where possible, the prisoner shall remain a resident in their own cell.

### The prisoner shall remain on Basic Supervision until the reason for the placement is no longer relevant or the prisoner displays the expected standards of behaviour required to progress to a lower supervision level.

## Notification of placement

### When placed on Basic Supervision, the Unit Manager shall provide the prisoner with a copy of their supervision plan from TOMS and inform them of the following:

1. reasons for the placement and length of time
2. placement review process
3. behaviour required for the prisoner to return to Standard Supervision.

## Review of placement

### The Unit Manager shall review the continued placement of prisoners on Basic Supervision at least every 7 days. The Unit Manager may conduct a review earlier than 7 days if the prisoner demonstrates the required behaviour or when a prisoner requests for a review.

### For prisoners placed on Basic Supervision for refusing employment, the Unit Manager shall review the prisoner’s supervision level as soon as they gain employment or at least every 7 days (whichever is earlier).

### The prisoner shall be progressed to Standard Supervision if the SMT is satisfied the required behaviour has been demonstrated.

### The prisoner shall only remain on Basic Supervision while they demonstrate inappropriate behaviour.

### If not satisfied that the prisoner has demonstrated the required behaviour to return to Standard Supervision, the Unit Manager shall:

1. record the decision on TOMS
2. provide a copy of the decision to the prisoner, detailing the reasons and inform the prisoner of the standards of behaviour required to progress back to Standard Supervision
3. place a copy of the decision on the unit file.

### The Superintendent shall review the management of all prisoners that remain on Basic Supervision for 14 days, to determine whether other strategies may be utilised to improve their behaviour.

### Prisoners shall remain on Basic Supervision for a maximum period of 21 days.

### The Superintendent may place a Basic Supervision prisoner on a more restrictive placement at the conclusion of the 21 day period (eg Close Supervision) if the prisoner’s behaviour does not improve or continues to deteriorate.

# Close Supervision

## Reason for placement

### The purpose of Close Supervision is to temporarily remove prisoners from the mainstream prison population because they pose a threat to other prisoners, staff or the good order and security of the prison.

### A prisoner on Close Supervision requires a greater degree of supervision and management than other prisoners.

### A prisoner shall be considered for placement under Close Supervision where the severity of an incident necessitates it or they display any of the following:

1. any act or threat of violence (eg against staff, other prisoners, visitors, or canines)
2. serious non-conformist behaviour (e.g bullying, intimidation, threats)
3. behaviour that poses a significant threat to the good order and security of the prison.

### Close Supervision shall be used in response to an incident or situation. However, if the prisoner continually poses a threat to people or the good order and security of the prison, consideration shall be given to manage the prisoner using the following options:

1. placed in the Special Handling Unit
 (refer COPP 4.11 – Special Handling Unit)
2. placed on a separate confinement order
(refer [COPP 10.7 – Separate Confinement](http://justus/intranet/prison-operations/Pages/prison-copps.aspx)).

## Approval process

### A member of the Senior Management Team shall approve a prisoner’s placement on and removal from Close Supervision.

### When a member of the SMT has placed a prisoner under Close Supervision, the Superintendent shall be notified of the placement as soon as practicable.

## Notification of placement

### When placed on Close Supervision, a member of the SMT shall inform the prisoner and provide them with a copy of their supervision plan from TOMS, including:

1. reasons for placement and length of time
2. the review process
3. behaviour required to return to a lower Supervision Level.

## Review of placement

### The prisoner shall only remain on Close Supervision while they pose a threat to people or the good order and security of the prison. The Superintendent shall ensure the prisoner does not remain at this level longer than necessary.

### A member of the SMT shall visit a prisoner on Close Supervision each day, to monitor their behaviour and consider recommending progression to a lower Supervision, where improved behaviour is demonstrated.

### A member of the SMT shall advise the prisoner of any behavioural issues that must be addressed for the prisoner to progress from Close Supervision.

### The SMT shall formally review the behaviour of all prisoners placed on Close Supervision at least every 7 days. This review is to be documented on TOMS and the decision provided to the prisoner. Reviews may be conducted earlier as required.

### A prisoner on Close Supervision may seek a review of the decision by the Superintendent (or alternative member of the SMT).

### The Superintendent must review and approve prisoners that are required to remain on Close Supervision beyond 14 days. The reasons for extending the placement shall be documented on TOMS.

### The Assistant Commissioner Custodial Operations (ACCO) or Assistant Commissioner Women and Young People (ACWYP) must review and approve prisoners placed on Close Supervision for more than 21 days. The Superintendent may request the prisoner’s continued placement on Close Supervision, or alternatively submit an application recommending the prisoner be managed through an alternative supervision plan (eg Separate Confinement, or Special Handling Unit).

### In cases extending beyond 21 days, the prisoner may seek a review of the decision from the ACCO or ACWYP.

# Standing Orders

### Superintendents may develop Standing Orders, compliant with this COPP as operationally required.

### For prisons requiring a Standing Order this shall be compliant with [COPP 1.3 – Standing Orders](http://justus/intranet/prison-operations/Pages/prison-copps.aspx) and the Department’s [Operational Policy and Procedure Framework](http://justus/intranet/department/standards/Pages/ops-standards.aspx).

### Standing Orders aligned with this COPP may include procedures for (but not limited to):

1. the person in the SMT authorised to approve and remove a prisoner’s supervision level
2. additional expected behavioural standards
3. applicable supervision levels
4. placement options for prisoners
5. application and approval processes for prisoners requesting progression to Earned Supervision.

# Annexures

## Related COPPs and documents

* [COPP 2.2 – Orientation](http://justus/intranet/prison-operations/Pages/prison-copps.aspx)
* [COPP 4.11 – Special Handling Unit](http://justus/intranet/prison-operations/Pages/prison-copps.aspx)
* [COPP 8.4 – Prisoner Finances](https://justus/intranet/prison-operations/Pages/prison-copps.aspx)
* [COPP 9.2 – Prisoner Complaints](http://justus/intranet/prison-operations/Pages/prison-copps.aspx)
* [COPP 10.5 – Prison Offences and Charges](http://justus/intranet/prison-operations/Pages/prison-copps.aspx)
* [COPP 10.7 – Separate Confinement](http://justus/intranet/prison-operations/Pages/prison-copps.aspx)

## Definitions and acronyms

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| Term | Definition  |
| Assistant Commissioner Custodial Operations (ACCO) | The position designated by the Deputy Commissioner Adult Male Prisons as responsible for the strategic leadership of the management of adult male prisoners, including all aspects of operational security, good order and prisoner management at male and regional prisons.  |
| Assistant Commissioner Women and Young People(ACWYP) | The position designated by the Deputy Commissioner Women and Young People as responsible for the strategic leadership of the management of adult women prisoners, including all aspects of operational security, good order and prisoner management at womens’ prisons.  |
| Commissioner’s Operating Policy and Procedure (COPP) | COPPs are policy documents that provide instructions to staff as to how the relevant legislative requirements are implemented. |
| Deputy Commissioner Adult Male Prisons | The position designated by the Commissioner as responsible for the management of the Adult Male Prisons Directorate within the Corrective Services Division of the Department of Justice. |
| Deputy Commissioner Women and Young People | The position designated by the Commissioner as responsible for the management of the Women and Young People Directorate within the Corrective Services Division of the Department of Justice. |
| Entitlement  | All prisoners are entitled access to certain conditions, services, activities and items. These minimum entitlements are informed by legislation, common law and other relevant instruments. |
| 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. |
| Prison Officer | A person engaged or deemed to have been engaged to be a prison officer under s.13 of the *Prisons Act 1981* or deemed to have been appointed under s.6 to an office designated. |
| Senior Management Team (SMT) | The Senior Management Team is defined as any person or class of persons with discretionary authority in accordance with section 35(3) of the *Prisons Act 1981* to approve and remove a prisoner’s supervision level and privileges and may include the following staff:1. Superintendents
2. Deputy Superintendents
3. Assistant Superintendents
4. Principal Officers.

Prisons shall detail within their Standing Order the personnel who can approve and remove a prisoner’s supervision level and privileges. |
| Privilege | A concession or item available to a prisoner in addition to any entitlement provided under legislation or written instrument. |
| Socialisation | Socialisation is defined as any activity of mixing socially with others, and usually involves face to face contact with others. |
| Superintendent | The Superintendent as defined in s. 36 [*Prisons Act 1981*](http://www.slp.wa.gov.au/legislation/statutes.nsf/main_mrtitle_751_homepage.html) includes any reference to the position responsible for the management of a private prison under Part IIIA [*Prisons Act 1981*](http://www.slp.wa.gov.au/legislation/statutes.nsf/main_mrtitle_751_homepage.html). This does not extend to the Officer in Charge of the prison. |
| Supervision Level | A supervision level is a set of privileges which varies depending on the behaviour of the prisoner. The 4 supervision levels the Department uses are Earned, Standard, Basic and Close.  |
| Supervision Plan  | Previously called a ‘Restricted Regime’, this is an individualised plan that details and describes key elements for managing prisoners which includes, but not limited to; * Delivery of entitlements and privileges
* Proposed behavioural management strategies
* Internal escort information (eg required staff, recommended restraints).
 |
| Total Offender Management Solution (TOMS) | An electronic database used by the Department to record and manage comprehensive information relating to prisoners and detainees. |
| Woman | An adult female human being.  |

## Related legislation

* [*Prisons Act 1981*](file:///C%3A%5CUsers%5CPeter%5CAppData%5CLocal%5CTemp%5CIM%5CCOPP%2010.1%20Prisoner%20Behaviour%20Management%20v1.31.docx#_Related_legislation)
* [*Prisons Regulations 1982*](file:///C%3A%5CUsers%5CPeter%5CAppData%5CLocal%5CTemp%5CIM%5CCOPP%2010.1%20Prisoner%20Behaviour%20Management%20v1.31.docx#_Related_legislation)

# Assurance

It is expected that:

* Prisons will undertake local compliance in accordance with the [Compliance Manual](http://justus/search/Pages/results.aspx?k=assurance%20framework#k=Monitoring%20and%20Compliance%20framework).
* The relevant Deputy Commissioner will undertake management oversight as required.
* Operational Compliance Branch will undertake checks in accordance with the [Operational Compliance Framework](http://justus/search/Pages/results.aspx?k=assurance%20framework#k=Monitoring%20and%20Compliance%20framework).
* Independent oversight will be undertaken as required.

# Document Version History

| Version no | Primary author(s) | Description of version | Date completed | Effective date |
| --- | --- | --- | --- | --- |
| 0.1 | Operational Policy | Initial draft | 11 September 2019 | N/A |
| 0.2 | Operational Policy | Updated following consultation | 24 December 2019 | N/A |
| 0.3 | Operational Policy | Tabled for approval with the Project Steering Committee | 31 December 2019 | N/A |
| 0**.**4 | Operational Policy | Amended following feedback from the Project Steering Committee | 9 January 2020 | N/A |
| 0.5 | Operational Policy | Approved by the Project Steering Committee | 22 April 2020 | N/A |
| 0.6 | Operational Policy | Amended following consultation | 3 December 2021 | N/A |
| 1.0 | Operational Policy | Approved by DirectorOperational Policy, Projects, Compliance and Contracts | 6 December 2021 | 24 January 2022 |
| 1.1 | Operational Policy | Approved by DirectorOperational Policy, Projects, Compliance and Contracts following review of grammatical errors | 06 Jan 2022 | 24 January 2022 |
| 2.0 | Operational Policy | Approved by A/DirectorOperational Policy, Projects, Compliance and Contracts | 06 Jan 2022 | 24 January 2022 |
| 2.1 | Operational Policy | Changed female to woman | 2 March 2022 | N/A |
| 3.0 | Operational Policy | Approved by A/DirectorOperational Policy, Projects, Compliance and Contracts | 2 March 2022 | 8 March 2022 |
| 3.1 | Operational Policy | Minor change following legislation amendment, r56 of the *Prison Regulations 1982* | 25 November 2022 | N/A |
| 4.0 | Operational Policy | Approved by the Commissioner  | 7 December 2022 | 14 December 2022 |

Appendix A – Standard of Behaviour Expected of Prisoners

These standards are designed to encourage prisoners to achieve a high level of personal responsibility and to actively participate in the employment and programme activities that are available. They are also designed to allow prisoners to earn additional privileges through responsible behaviour.

Irresponsible behaviour may result in the suspension of losing some or all privileges, or a reduction in the level of additional privileges available.

The prison expects you:

* to obey all lawful instructions issued by staff
* to participate in, and be on time for the employment and programme activities made available to you
* to maintain a high standard of personal hygiene and keep your cell clean and tidy
* to express your views, requests or complaints in a reasonable manner
* to obey any COPPs or Standing Orders that apply to you
* not to use alcohol or any other drugs that have not been lawfully prescribed to you
* not to bully or threaten other prisoners
* not to buy, sell or swap any items of property with other prisoners without permission
* not to be involved in gambling or any related activities
* not to possess items not lawfully issued to you
* not to steal or interfere with another prisoners' property
* not to enter another prisoner's cell without the permission of that prisoner
* not to be involved in applying tattoos to yourself or other prisoners.

Appendix B – Prisoner Access to Socialisation

**General guidance**

Superintendents shall ensure all prisoners can socialise daily with other prisoners. Daily socialisation includes, but is not limited to:

* recreation
* mealtimes
* work
* other activities.

Prison Officers shall record a unit’s daily socialisation activities in the Unit Occurrence Books, for example:

1. *1030hrs – Unit X received a visit from the prison chaplain*
2. *0900hrs – Unit Y accessed socialisation/recreational activities*

Prisoners on a higher supervision level are to have their daily socialisation activities individually recorded in the Unit Occurrence Book and Supervision Log on TOMS.

Superintendents shall ensure the total duration and form of socialisation is maximised daily, with options in order of preference as follows:

1. face to face – with other prisoners
2. face to face – with peer support prisoners/support services
3. face to face (through a barrier) – such as with other prisoners through recreation yard grills or via technological means (eg eVisits).

**Suspending socialisation**

The Superintendent may temporarily suspend the daily socialisation entitlement due to an emergency or necessity to maintain the good government, good order and security of their prison.

The Superintendent shall restore the daily socialisation entitlement as soon as the emergency or necessity has been resolved or addressed. The Superintendent shall ensure the situation is reviewed on a daily basis to ensure the socialisation entitlement can be restored as soon as possible.

In the event a prisoner’s daily socialisation entitlement is suspended, the Superintendent shall ensure:

1. to document on TOMS the reasons for suspending the daily socialisation entitlement, including specific reference as to why the suspension was necessary for the good order and security of the prison; and
2. the prisoner is informed of the reasons for the suspension.

# Appendix C – Supervision Levels and Minimum Privileges

| **Privilege** | **Supervision Level** |
| --- | --- |
| ***If any supervision level conditions are not met, a note must be made in the TOMS Supervision Log*** |
| **Close** | **Basic** | **Standard** | **Earned** |
| **Access to cell-based hobbies and materials** | Nil access | Nil access | Normal access | Normal access |
| **Access to property in storage** | Legal papers relating to any matters currently before the courts | As per Unit routine | Normal access | Normal access |
| **Canteen spends (max weekly spend limits) \*** | Gratuity level 3Nil PPCAUnit Manager may restrict access to some items  | Gratuity level 3 + equivalent PPCA Unit Manager may restrict access to some items  | Gratuity level 1 + equivalent PPCA | Gratuity level 1 + 50% and equivalent PPCA |
| **Education / offender programs** | Access subject to risk assessment | Normal access | Normal access | Normal access |
| **Electrical items per cell (personal)** | 0 | 1 | 3 | Up to 5 items if sufficient power points available  |
| **Employment** | Nil | Normal access | Normal access | Normal access |
| **Out of cell hours** | Minimum of 3 hours per day | As per Unit routine, minimum of 3 hours per day. | As per Unit routine, minimum of 3 hours per day. | As per Unit routine, minimum of 3 hours per day. |
| **Gratuities** | Level 5 only | Normal for work level | Normal for work level | Normal for work level |
| **Letters (per month)** | 1216 if ‘long term’\*\* or ‘no visitors’\*\*\* | 1216 if ‘long term’\*\* or ‘no visitors’\*\*\* | 1216 if ‘long term’\*\* or ‘no visitors’\*\*\* | 20 |
| **Library** | In cell, a prisoner may request reading materials from Prison Officers | Unit only | As per prison routine | As per prison routine |
| **Location of meals**  | Each prisoner provided food and water, at the usual hours.Meals provided in cell | Each prisoner provided food and water, at the usual hours.Meals provided as per Unit routine | Each prisoner provided food and water, at the usual hours.Meals provided as per Unit routine | Each prisoner provided food and water, at the usual hours.Meals provided as per Unit routine |
| **Musical instrument** | Nil access | Nil access | Normal access | Normal access |
| **Prisoner Telephone System (PTS) limit / access** | Minimum of 1 daily call to approved social contact where practicablePTS account $25 maximum per week | Minimum of 1 daily call to approved social contactPTS account $50 maximum per week | PTS account $100 maximum per week | PTS account $140 maximum per week |
| **Recreation activities external to Unit** | Nil, Unit based recreation only | Nil, Unit based recreation only | As per prison routine | As per prison routine |
| **Study materials** | On request if part of a normal course of study | Normal access | Normal access | Normal access |
| **Writing material** | Letters only | Letters and additional material bought from canteen | Letters and additional material bought from canteen | Letters and additional material bought from canteen |

\* for regional prisons, a 5% increase allowed to provide for increased costs of canteen products.

\*\* for mail, a ‘long term’ prisoner is defined as a prisoner who is serving an effective sentence of ten years or more.

\*\*\* for mail, ‘no visitors’ refers to prisoners who have not received more than 6 social visits during the 6 previous months.

1. r. 60(1) *Prisons Regulations 1982* [↑](#footnote-ref-1)
2. r. 45(1) *Prisons Regulations 1982* [↑](#footnote-ref-2)
3. r. 51(1) *Prisons Regulations 1982* [↑](#footnote-ref-3)
4. s. 67, 67A and 68 *Prisons Act 1981* [↑](#footnote-ref-4)
5. s.95E *Prisons Act 1981* [↑](#footnote-ref-5)
6. Part VI *Prisons Act 1981* and Part V Division 7 *Prisons Regulations 1982* [↑](#footnote-ref-6)
7. r.56(b) *Prisons Regulations 1982* [↑](#footnote-ref-7)
8. Part V1 *Prisons Act 1981* [↑](#footnote-ref-8)