COPP 12.2 Coordination of Escorts

Prison

|  |
| --- |
| Principles As referenced in the [Guiding Principles for Corrections Australia 2018](http://justus/intranet/prison-operations/Documents/guidelines-for-corrections-in-aus.pdf):  3.1.12 Transport of persons in custody is conducted in a safe and humane manner, taking into account the dignity of the person being transported.  3.1.13 Where prisoners who present an extreme risk require movement outside a secure environment, comprehensive risk assessments are conducted and movements are planned to mitigate risks to staff, the community and the prisoner. |

# Contents

[1 Scope 4](#_Toc153875778)

[2 Policy 4](#_Toc153875779)

[3 Reasons for Escorts 5](#_Toc153875780)

[3.1 Common escorts 5](#_Toc153875781)

[3.2 Reducing unnecessary prisoner transport 5](#_Toc153875782)

[4 Service Provisions 6](#_Toc153875783)

[4.1 Contractor 6](#_Toc153875784)

[4.2 Services provided by Corrective Services 6](#_Toc153875785)

[5 Preparation for Escorts 6](#_Toc153875786)

[5.1 Authority for movement 6](#_Toc153875787)

[5.2 Superintendent/Officer in Charge responsibilities 7](#_Toc153875788)

[5.3 Contractor responsibilities 7](#_Toc153875789)

[5.4 Fitness to Travel Assessment 7](#_Toc153875790)

[5.5 Transfer and discharge sheet procedures 8](#_Toc153875791)

[5.6 Return Order 8](#_Toc153875792)

[5.7 External Movement Risk Assessments 9](#_Toc153875793)

[5.8 Specific considerations 9](#_Toc153875794)

[5.9 Searching 10](#_Toc153875795)

[5.10 Actions prior to escort 10](#_Toc153875796)

[5.11 Notification to next of kin 11](#_Toc153875797)

[6 Types of Escorts 11](#_Toc153875798)

[6.1 Court to prison escorts 11](#_Toc153875799)

[6.2 Prison to court escorts 11](#_Toc153875800)

[6.3 Prisoner refusal to attend court 11](#_Toc153875801)

[6.4 Mental Health Act transfers 12](#_Toc153875802)

[6.5 Scheduled movements from the authorised hospital (the Frankland Centre) 13](#_Toc153875803)

[6.6 Unscheduled movements from the authorised hospital (the Frankland Centre) 14](#_Toc153875804)

[6.7 Scheduled medical appointments/admissions 14](#_Toc153875805)

[6.8 Medical emergency 15](#_Toc153875806)

[6.9 Unscheduled hospital sit following a medical emergency 16](#_Toc153875807)

[6.10 Royal Flying Doctor Service 16](#_Toc153875808)

[6.11 Executive Council prisoners 17](#_Toc153875809)

[6.12 Funerals and other compassionate leave 17](#_Toc153875810)

[6.13 Visits to ill relative notification 18](#_Toc153875811)

[7 Placement within Casuarina Infirmary 18](#_Toc153875812)

[7.1 Discharge from hospital 18](#_Toc153875813)

[7.2 Receival from court 19](#_Toc153875814)

[8 Hospital Orders 19](#_Toc153875815)

[8.1 Overview 19](#_Toc153875816)

[8.2 Hospital Orders from court 19](#_Toc153875817)

[8.3 Hospital orders from prison 20](#_Toc153875818)

[9 High Security Escorts 21](#_Toc153875819)

[9.1 General requirements 21](#_Toc153875820)

[10 Annexures 22](#_Toc153875821)

[10.1 Related COPPs and other documents 22](#_Toc153875822)

[10.2 Definitions and acronyms 22](#_Toc153875823)

[10.3 Related legislation 26](#_Toc153875824)

[11 Assurance 26](#_Toc153875825)

[12 Document Version History 26](#_Toc153875826)

[Appendix A: Service Provisions Table 27](#_Toc153875827)

[Appendix B: Documentation for External Movements 28](#_Toc153875828)

# Scope

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

It also applies to any organisation contracted to the Department under the *Court Security and Custodial Services Act 1999*[[1]](#footnote-1), for the provision of custodial transport services.

# Policy

Prisoners are prepared for transfer to ensure they are moved as quickly as possible and arrive at their destination on time.

Prisons shall reduce prisoner movement where alternative options can be facilitated or provided and/or it is in the interests of justice to do so.

Prisoners lawfully absent from prison for the purpose of undergoing escorted travel remain in lawful custody. All movements of prisoners are:

* planned and organised; and
* reflective of the level of risk presented by the prisoner(s) undertaking the movement.

In consideration of Western Australia’s history of Aboriginal deaths in custody, the Department acknowledges that confinement in a secure vehicle has the potential to be a disproportionately stressful process for Aboriginal prisoners, especially for those who are connected to, or can recall, specific cases. The escort process may also have the potential to be a disproportionately stressful process for prisoners with an impairment. As such, prisoners shall be briefed regarding the escort process, including relevant safety precautions taken to ensure their health and welfare, and Officers shall be mindful of any concern raised by a prisoner in this regard.

# Reasons for Escorts

## Common escorts

### The escort of prisoners can occur as follows[[2]](#footnote-2):

1. court to prison
2. prison to court
3. inter-prison transfer
4. section 83 absences[[3]](#footnote-3)
5. intrastate, interstate or international transfers
6. transfers under the *Mental Health Act 2014*
7. section 95 prisoners
8. prison to Western Australia (WA) Police Force lock-ups.

## Reducing unnecessary prisoner transport

### All prisons, particularly regional locations, shall consider alternative options for reducing unnecessary transport to reduce costs and increase prisoner security for the purpose of:

* 1. court appearances
  2. medical appointments (determined by Health Services staff); and
  3. inter-prison visits.

### Movements Officers, particularly in regional locations, shall consider requesting a change to video-link for court matters where possible with consideration of the following:

1. check Integrated Courts Management System (ICMS) database to identify the purpose of the court appearance (note: sentencing/trial purposes are unlikely to be suitable for change to video-link unless in extenuating circumstances)
2. check Total Offender Management Solution (TOMS) to confirm the prisoner’s court attendance and if they have Return Order status in accordance with the warrant
3. review of bail applications (ie if release location is in close proximity to the regional prison it may be prudent to request a video-link appearance from the regional prison instead of attending in person at a metropolitan court).

### Movements Officers, where applicable, shall contact the relevant court prior to the scheduled court date to confirm if the prisoner is required to attend court in person or appear via video-link (even if the warrant states a prisoner is required to appear in person.

# Service Provisions

## Contractor

### The Contractor shall provide the effective, safe and secure transportation of prisoners in accordance with the [CS & CS Contract](https://www.parliament.wa.gov.au/publications/tabledpapers.nsf/displaypaper/3914901aa07fe9393c76e34f4825806e0027deca/$file/4901.pdf) and [Appendix A: Service Provisions Table](#_Appendix_A:_Service).

### Corrective Services may facilitate the transportation of prisoners where the Contractor is unable to.

## Services provided by Corrective Services

### The following transportation services, where required, shall be conducted by the Department of Justice, Corrective Services staff in accordance with legislation[[4]](#footnote-4) and this COPP:

1. any prisoner assessed as a High Security Escort, refer [COPP 12.5 – High Security Escorts (HSE)](http://justus/intranet/prison-operations/Pages/prison-copps.aspx)
2. section 95 prisoners participating in an activity program outside a prison
3. prisoners to/from work camps (except with express permission from the Contract Manager via the Principal Response Officer)
4. interstate or overseas transportation including; attendance at funerals, interstate or international transfer/extradition, or appearance in court[[5]](#footnote-5)
5. any prisoner who requires immediate medical treatment
6. any prisoner who is accommodated at a prison and returned or handed over to the WA Police Force for operational purposes
7. minimum security prisoners at Boronia Pre-Release Centre for Women, Karnet Prison Farm, Pardelup Prison Farm and Wooroloo Prison Farm:

* to and from routine and medical emergency appointments
* funerals and visits to dangerously ill persons
* supervision whilst admitted to hospital unless express permission is sought from the Contract Manager via the Operations Centre

1. prisoners at West Kimberley Regional Prison (inter-prison transfers are undertaken by the Contract Service Provider)
2. prisoners for the purpose of participating in Re-Integration Leave (RIL) or Prisoner Employment Program (PEP) activities.

# Preparation for Escorts

## Authority for movement

### The Superintendent/Officer in Charge (OIC) acts as the authority for the removal of a prisoner to another location and shall sign and approve all relevant documentation in accordance with [Appendix B: Documentation for](#_Appendix_B:_Documentation) External Movements.

## Superintendent/Officer in Charge responsibilities

### The Superintendent/OIC shall ensure sufficient and appropriately trained Escorting Officers are provided to maintain custody of prisoners during escorts.

### The Superintendent/OIC shall ensure a minimum of two Escorting Officers for all prisoners being transported and a minimum of two points of restraint (Refer to [COPP 12.3 – Conducting Escorts](https://justus/intranet/prison-operations/Pages/prison-copps.aspx)), unless a variation is authorised via the External Movement Risk Assessment (EMRA) on TOMS.

### The Superintendent/OIC shall determine the transportation requirements for section 95, work camp, RIL and PEP prisoners.

### The Superintendent/OIC shall ensure prisoners attend court appearances in a timely manner and are not transported unnecessarily to court.

### The Superintendent/OIC following medical advice from the medical practitioner, shall approve the removal of prisoners from prison to receive medical assessment/treatment, which cannot be administered within the prison (including medical emergencies).

### The Superintendent/OIC shall ensure the Operations Centre (OPCEN) are notified of all unscheduled escorts.

## Contractor responsibilities

### The Contractor shall ensure a minimum of two Escorting Officers and a minimum of two points of restraint for all prisoners being transported, unless a variation is authorised via the Contractor’s own risk assessment approved by the Contract Director or their delegate.

## Fitness to Travel Assessment

### Fitness to Travel Assessments shall be completed on TOMS by Health Services for all prisoners and reviewed and updated prior to movement to reflect the prisoner’s health status changes. Movements Officers shall confirm the Fitness to Travel Assessment has been completed, prior to prisoner movement.

### The following procedures apply for the purpose of reviewing a Fitness to Travel Assessment:

|  |  |  |
| --- | --- | --- |
|  | **Procedure** | **Responsibility** |
| **1.** | Communicate with prison Health Services clinicians at the earliest opportunity to ensure the Fitness to Travel Assessment is completed in a timely manner | Movements Officer |
| **2.** | For scheduled escorts, ensure the Clinical Nurse Manager (CNM) or delegate is notified of the following day’s Transfer & Discharge (T&D) sheet by close of business each day  **\*Note** – on the weekends the OIC shall ensure the CNM (where applicable) or delegate is provided the T&D sheet for the following day | Movements Officer |
| **3.** | Ensure the Fitness to Travel Assessment has been completed and any necessary medication/medical aids and/or instructions from prison Health Services clinicians are provided to Reception  **\*Note** – the CNM shall inform the Movements Officer/OIC of any prisoner on the T&D sheet who is not fit to travel | Movements Officer |
| **4.** | Where a medical emergency exists, a TOMS offender note shall record that a Fitness to Travel Assessment was not completed and the reason for this. | Movements Officer |

### For prisoners approved to undertake ongoing travel (eg PEP, RIL, etc), Health Services shall ensure the Fitness to Travel Assessment is reviewed prior to the first such movement and, if certified fit to travel, the prisoner shall not require a further Assessment unless their health status changes.

## Transfer and discharge sheet procedures

### Movements Officers shall enter all external movements on the T&D sheet on TOMS by 1700 hours the day prior to the required escort, where practical.

### The Superintendent/OIC shall authorise all movements[[6]](#footnote-6) by approving the completed T&D sheet the day prior to the escort, where practical, following consultation with Health Services regarding a prisoner’s Fitness to Travel Assessment.

### The Superintendent/OIC shall sign a new copy of the T&D sheet prior to the commencement of the day’s movement(s) if late additions/deletions have been made.

### If additions/deletions are required to the T&D sheet after 1600 hrs the day prior to the scheduled movement, the OIC shall advise the Contractor via email as soon as practicable the day before the scheduled movement.

## Return Order

### The following procedures apply when obtaining confirmation for the requirement of a Return Order for a prisoner following their court appearance:

|  |  |  |
| --- | --- | --- |
|  | **Procedure** | **Responsibility** |
| **1.** | Conduct a check on TOMS, at a minimum of 24 hours prior to the escort, to identify:   * charges scheduled to be heard in the day’s court proceedings * any outstanding charges * any current sentences of separate confinement imposed by a visiting justice[[7]](#footnote-7) * any instrument authorising the prisoner’s custody | Movements Officer |
| **2.** | Check for any Warrants or Orders on the prisoner’s warrants file which may not have been entered onto TOMS, refer [COPP 12.7 – Warrants](http://justus/intranet/prison-operations/Pages/prison-copps.aspx) | Movements Officer |
| **3.** | Record the Return Order on the T&D sheet for approval by the Superintendent | Movements Officer |
| **4.** | Review the T&D sheet and Offender Movement Information (OMI) sheet on TOMS for currency, where applicable, prior to the prisoner’s transport | Movements Officer |

## External Movement Risk Assessments

### For movements conducted by the Department, the Superintendent/OIC shall ensure an EMRA is completed prior to movement in the following circumstances:

1. when a non-secure vehicle is required (see [COPP 12.1 Escort Vehicles](https://justus/intranet/prison-operations/Pages/prison-copps.aspx))
2. when a variation to the minimum number of escorting officers and/or restraints is required (see [section 5.2.2](#_The_Superintendent/OIC_shall))
3. when a variation to the recommended standard restraints is required (see [COPP 12.3 Conducting Escorts](https://justus/intranet/prison-operations/Pages/prison-copps.aspx)).

### When the prisoner is being transported to palliative care, this shall be recorded on the EMRA and OMI .

### Exceptions to the above requirement for an EMRA include:

1. when the movement is being conducted by the Contractor (Contractor to complete their own equivalent risk assessment to be authorised by the Contract Director or their delegate)
2. when a prisoner is engaging in an external activity under a pre-existing risk assessment system (ie work camps, s. 95 activities, PEP, RIL)
3. if the movement involves coach/air travel (the Superintendent/OIC shall ensure the Prisoner Movement Risk Assessment (PMRA) on TOMS is completed in place of the EMRA)
4. emergencies.

## Specific considerations

### Prisoners who are pregnant, in labour, or post-natal care require special consideration regarding type of vehicle and use of restraints and shall be escorted in accordance with [COPP 11.3 – Use of Force and Restraints](http://justus/intranet/prison-operations/Pages/prison-copps.aspx) and [COPP 12.1 – Escort Vehicles](http://justus/intranet/prison-operations/Pages/prison-copps.aspx).

* + 1. Prisoners with significant medical and/or mobility issues require special consideration regarding type of vehicle and use of restraints and shall be escorted in accordance with [COPP 12.1 – Escort Vehicles](http://justus/intranet/prison-operations/Pages/prison-copps.aspx) and [COPP 12.3 - Conducting Escorts](http://justus/intranet/prison-operations/Pages/prison-copps.aspx).
    2. Where the prisoner satisfies any of the cohorts specified in section 5.3.1 of [COPP 12.3 – Conducting Escorts](https://justus/intranet/prison-operations/Pages/prison-copps.aspx), restraints are not to be applied unless there remains a need following the completion of an EMRA or PMRA.
    3. Prisoners who identify as trans, gender diverse or intersex shall be segregated from other prisoners during transport (ie in a separate pod) and provided the opportunity to use toilet facilities separately from other prisoners. The Contractor shall be notified of the trans, gender diverse or intersex prisoner’s requirements including the requirements of searching prior to escort via the OMI sheet, refer [COPP 4.6 –Trans, Gender Diverse and Intersex Prisoners](http://justus/intranet/prison-operations/Pages/prison-copps.aspx).

## Searching

### Prisoners and their property may be searched prior to escorts, in accordance with [COPP 11.2 – Searching](http://justus/intranet/prison-operations/Pages/prison-copps.aspx).

## Actions prior to escort

### The following actions are applied prior to all escorts:

|  |  |  |
| --- | --- | --- |
|  | **Procedure** | **Responsibility** |
| **1.** | Complete an EMRA/PMRA, where applicable, and obtain approval by the relevant authority (see [section 5.6](#_External_Movement_Risk)) | Delegated Officer |
| **2.** | Ensure the OPCEN is notified of any unscheduled escorts | Superintendent/OIC |
| **3.** | Provide Escorting Officers with the prisoner’s medication and medical aids as required, unless otherwise instructed by prison Health Services staff as per the Fitness to Travel Assessment. | Delegated Officer |
| **4.** | For Contractor escorts, coordinate with Contractor to ensure prisoners are ready for transport and present in reception early, as per the required time on the T&D sheet | Delegated Officer |
| **5.** | Brief the Escorting Officers, including:   * sighting the emergency management plan * how to action and manage an emergency situation (ie vehicle breakdown, escape, non-compliant prisoner) * contingency planning in an emergency | Security Manager/Principal Officer/OIC/Contractor |
| **6.** | Confirm Escorting Officers have completed the necessary restraints serviceability checks prior to departure | Security Manager/Principal Officer/OIC/Contractor |
| **7.** | Ensure documentation is prepared in accordance with [Appendix B: Documentation for](#_Appendix_B:_Documentation) External Movements and other relevant information, property (refer [COPP 3.1 - Managing Prisoner Property](http://justus/intranet/prison-operations/Pages/prison-copps.aspx)) etc. for the purpose of the escort. | Delegated Officer |
| **8.** | Advise the Escorting Officers of any security, protection and/or medical issues identified on the OMI sheet regarding the prisoner | Security/Principal Officer |
| **9.** | Complete the [Escort Dispatch Checklist](http://justus/intranet/prison-operations/Pages/copp-forms.aspx) (Departmental escorts only) | Security Manager/Principal Officer/OIC |

## Notification to next of kin

### When a prisoner is removed from a prison for the treatment of a serious illness/injury, subject to security considerations, the Superintendent/OIC shall ensure the prisoner’s next of kin/legally appointed guardian is notified in accordance with [COPP 6.1 – Prisoner Access to Health Care](http://justus/intranet/prison-operations/Pages/prison-copps.aspx).

# Types of Escorts

## Court to prison escorts

### Prisoners shall be received into the Department’s custody in accordance with [COPP 2.1 – Reception](http://justus/intranet/prison-operations/Pages/prison-copps.aspx).

### Following a court appearance whereby a prisoner is hospitalised and remanded into custody, Prison Officers shall relieve WAPF Officers in the event the Contractor cannot conduct the escort. The following shall occur:

1. WAPF notify the OIC
2. a custody handover is conducted to include receipt of the relevant warrant, documentation and any property in accordance with [COPP 12.3 - Conducting Escorts](http://justus/intranet/prison-operations/Pages/prison-copps.aspx); and
3. the prisoner is placed on the TOMS count and added to long term hospital placement.

## Prison to court escorts

### The Movements Officer or delegated officer shall prepare for the possible release of a prisoner prior to their attendance in court where no other instrument authorising their continued custody exists, in accordance with [COPP 14.6 – Prisoners Released from Custody](http://justus/intranet/prison-operations/Pages/prison-copps.aspx) and the completion of the TOMS Prisoner Release Checklist and Prisoner Release from Court Checklist.

### Prisoners are to wear personal (non-prison) clothing when attending court unless in exceptional circumstances.

### Prisoners shall be permitted to take legal documents to court for the purpose of their court appearance.

### The management of prisoner property shall be in accordance with [COPP 3.1 –Managing Prisoner Property](http://justus/intranet/prison-operations/Pages/prison-copps.aspx).

### Prison Health Services staff shall provide the Reception Officer with the prisoner’s medication and instructions for dosage and medical aids, where required, for the duration of the escort.

## Prisoner refusal to attend court

### Movements/Reception Officers shall ensure prisoners are conveyed to court in accordance with a valid warrant.

### Escorting, Movements and Reception Officers, authorised by the Superintendent/OIC, may use reasonable force where a prisoner refuses to attend court (externally or via video-link) to ensure that lawful orders are complied with[[8]](#footnote-8). In these circumstances the prison shall advise the courts of the prisoner’s refusal to attend and determine an appropriate solution.

## Mental Health Act transfers

### Mental Health Act transfers are conducted where it is assessed that a prisoner may require admission to an authorised hospital (generally the Frankland Centre) or where a psychiatric assessment is required, following the completion of a Form 1A[[9]](#footnote-9).

### A Medical Practitioner or Authorised Mental Health Practitioner (AMHP) can refer a person under legislation[[10]](#footnote-10) for a psychiatric assessment at an authorised hospital.

### All Mental Health Act transfers shall be completed in a timely manner.

### Force shall not be used to facilitate the movement without prior approval of the Superintendent.

### If a bed is immediately available, the prisoner shall be transferred directly to the authorised hospital and be put on a metropolitan prison count.

### If a bed is not immediately available, the prisoner shall be transferred to Hakea Prison, Casuarina Prison or Bandyup Women’s Prison where they shall be placed in an Observation Cell, where practicable, and managed in accordance with [COPP 4.9 At-Risk Prisoners](http://justus/intranet/prison-operations/Pages/prison-copps.aspx), whilst waiting bed availability.

### Where the prisoner is located in a regional location and therefore unable to be transferred directly, the court’s custody provider or WA Police Force should liaise with the nearest prison, OPCEN and the Contractor to transfer the prisoner to the nearest receiving prison. The prisoner shall be placed on the prison count and in an Observation Cell, where practicable, and managed in accordance with [COPP 4.9 At-Risk Prisoners](http://justus/intranet/prison-operations/Pages/prison-copps.aspx), whilst waiting bed availability.

### All movements to the authorised hospital from all prisons shall be requested through the OPCEN.

### The OPCEN shall request the Contractor to conduct the escort from the prison to the authorised hospital and return.

### Movements Officers, prior to the escort, shall receive:

1. notification from prison Health Services staff when a bed is available
2. health risk information from the prison Mental Health team that may be required for the completion of an EMRA (see section 5.6).

### The Superintendent shall liaise with the prison Mental Health team or Clinical Nurse (if Mental Health staff are unavailable) to consider transferring the prisoner to an emergency department for assessment, if a bed is not immediately available.

### Whenever a prisoner is being transferred on a Form 1A to the authorised hospital, a member of the prison’s Mental Health team or Clinical Nurse (if Mental Health staff are unavailable) should, where appropriate, attend Reception with the prisoner to assist with the clearance process.

### The following procedures shall apply for the escort of prisoners to the authorised hospital, once a Form 1A has been completed:

|  |  |  |
| --- | --- | --- |
|  | **Procedure** | **Responsibility** |
| **1.** | Obtain confirmation from prison Health Services staff whether a bed at the authorised hospital is available | Movements Officer |
| **3.** | Place the prisoner on the T&D sheet, for appointment/admissions to the Frankland Centre (external unit – long-term hospital) and print the OMI, with attached Medical Appointment Form found on TOMS. | Movements Officer |
| **4.** | Notify the OPCEN via email and follow up with a phone call | Movements Officer |
| **5.** | Confirm receipt of the current Form 1A, for the movement of the prisoner | Movements Officer |
| **6.** | Obtain approval from the Superintendent in accordance with [COPP 11.3 – Use of Force and Restraints](http://justus/intranet/prison-operations/Pages/prison-copps.aspx) if a planned use of force is required to facilitate the transfer | Movements Officer |
| **7.** | Notify the authorised hospital the day prior, if a prisoner has a court appearance and place the prisoner on the T&D sheet  **\*Note** - also advise the Special Operations Group (SOG) if a High Security Escort is required, refer [COPP 12.5 – High Security Escorts](https://justus/intranet/prison-operations/Pages/prison-copps.aspx) | Movements Officer |

## Scheduled movements from the authorised hospital (the Frankland Centre)

### When a prisoner held at the authorised hospital is scheduled to attend a medical appointment at another hospital, the authorised hospital shall advise Corrective Services Medical Bookings so the appointment can be scheduled on TOMS.

### Movements Officers shall enter prisoner medical appointments onto the T&D sheet at least 72 hours (3 days) prior to a scheduled appointment, to ensure the Contractor or SOG is provided with timely information.

### Medical appointments not entered on the T&D sheet 72 hours (3 days) prior to the movement, shall be considered an unscheduled medical escort.

### Movements Officers shall record on TOMS a prisoner’s movement from the authorised hospital to another medical facility to accurately reflect the prisoner’s location.

## Unscheduled movements from the authorised hospital (the Frankland Centre)

### When a prisoner held at the authorised hospital is required to attend an unscheduled medical appointment at another hospital, or in a medical emergency, the authorised hospital shall notify the OPCEN by telephone followed by an email of a medical emergency and the following procedures shall apply:

### the OPCEN shall immediately notify the relevant prison to deploy Escorting Officers/SOG; and

### the Movements Officer shall place the prisoner on the T&D sheet with the Department of Justice indicated as the transport agent and print the OMI for the Escorting Officers.

### The Movements Officer shall record a prisoner’s movement from the authorised hospital to another medical facility on TOMS, to accurately reflect the prisoner’s location.

## Scheduled medical appointments/admissions

### Health Services Medical Bookings (metropolitan and regional) shall endeavour to schedule medical appointments/admissions between the times of 6.00 am and 4.00 pm.

### Prison Health Services shall ensure the Medical Appointment Form is approved by the Superintendent/OIC (cannot be delegated) to enable Movements Officers to print it out from the T&D sheet with the OMI.

### If the prisoner is to be admitted to hospital, the Movements Officer shall also complete a Hospital Admittance Advice on TOMS.

### Generally, all scheduled medical appointments shall be conducted by the Contractor. If the Contractor is unavailable, the Department shall undertake the escort.

### Health Services Medical Bookings shall ensure timely information regarding medical appointments/admissions is available on TOMS as soon as advised and at least 72 hours (3 days) prior to the scheduled appointment, to allow the Contractor to run the required report.

### Movements Officers shall enter prisoner medical appointments onto the T&D sheet the day prior to the scheduled appointment.

### The OPCEN shall be notified of medical bookings (unscheduled) outside of the 72 hour period.

### Movements Officers shall ensure any medical appointment cancellations processed by Health Services are removed from the T&D sheet prior to the scheduled escort.

### Prison Officers shall ensure prisoners being transported to medical appointments/admissions are wearing prison issued clothing.

### Reception Officers shall provide Escorting Officers with:

1. the relevant documentation for conducting the escort and requiring the return of the prisoner, refer [Appendix B: Documentation](#_Appendix_B:_Documentation) for External Movements
2. advice regarding security and/or medical issues not stated on the prisoner’s OMI
3. medication as required.

### Senior Officer Gate shall update TOMS to reflect the exact location (hospital facility) of the prisoner when admitted to long term hospital.

### The Superintendent/OIC shall ensure the following procedures occur, prior to a medical appointment/admission escort:

|  |  |  |
| --- | --- | --- |
|  | **Procedure** | **Responsibility** |
| **1.** | Prior to departure, contact the hospital to re-confirm the appointment/admission and ensure hospital security have been notified of the prisoner’s impending arrival | Superintendent/OIC |
| **2.** | Prison Health Services staff have been consulted prior to transportation to a medical facility, where required | Superintendent/OIC |
| **3.** | Confirm all relevant risk assessments are completed and authorised as per T&D sheet procedure | Superintendent/OIC |
| **4.** | Confirm the Notification of Escort Details form on TOMS is complete and has been provided to hospital security | OIC |
| **5.** | Ensure the Contractor is requested to return the prisoner to the prison as soon as the medical facility deems the prisoner fit to be discharged. | Superintendent/OIC |

## Medical emergency

### In all medical emergencies requiring external medical treatment, Prison staff shall call an ambulance and the prisoner shall be transported under the escort of Prison Officers.

### Movements Officers shall contact hospital security via email, prior to the escort, and record the contact in TOMS, advising of the following:

1. the prisoner’s name
2. estimated time of arrival
3. security rating
4. any other relevant factors.

### The Superintendent/OIC shall ensure hospital security have been contacted prior to the escort of the prisoner and the Notification of Escort Details form is completed and forwarded to the relevant hospital security section.

### A taxi may only be used to convey a prisoner and/or Escorting Officers back to prison from a medical emergency with the Superintendent/OIC’s authorisation where a contracted escort vehicle, prison vehicle or ambulance is immediately unavailable or if a prisoner’s mobility excludes them from being transported in a prison vehicle.

### The OIC or Movements Officers shall inform the OPCEN of an unscheduled escort of a prisoner via phone and email with the following information:

1. prisoner’s name
2. destination, eg hospital facility
3. reason for transfer (eg type of health issue)
4. date and time of unscheduled escort
5. Escorting Officers’ names and contact number.

### Medical emergencies shall be recorded on TOMS as per [COPP 13.1 – Incident Notifications, Reporting and Communications](http://justus/intranet/prison-operations/Pages/prison-copps.aspx).

## Unscheduled hospital sit following a medical emergency

### The following additional procedures apply when a prisoner is admitted to hospital following a medical emergency:

1. The Movements Officer/delegated Officer shall submit a Hospital Admittance Advice on TOMS which upon submission is automatically forwarded by email to the OPCEN and the Contractor.
2. The Movements Officer shall record the prisoner as being at long term hospital on TOMS once admitted.
3. Upon receiving the Hospital Admittance Advice, the Contractor shall contact the facility and advise if they have/do not have the capacity to take over the hospital sit.
   1. If the Contractor has capacity to take over the hospital sit, facility staff and the Contractor shall liaise with one another to determine the logistics of taking over the hospital sit (eg location of prisoner, contact details of escorting officers, time of takeover, etc.)
   2. If the Contractor does not have the capacity to take over the hospital sit, the Contractor shall advise the facility by telephone and shall advise the OPCEN.

## Royal Flying Doctor Service

### Prisoners in regional locations may occasionally require urgent transfer via the Royal Flying Doctor Service (RFDS) to Perth for emergency medical treatment, generally, Royal Perth Hospital. However, there is provision for flights to transfer prisoners to the Northern Territory for emergency treatment. The same procedures apply for the medical emergency, as outlined in this COPP.

### Prisons shall ensure the appropriate number of Escorting Officers (where practicable) are made available at the earliest opportunity to avoid any delay in transferring the prisoner, taking into consideration the prisoner’s security classification.

### If there are space limitations on the aircraft and a Medical Officer and nurse are required to be on board, the Superintendent shall ensure a PMRA is completed to include consideration of the prisoner’s:

1. previous behaviour
2. security risk
3. medical condition/urgency of transfer, noting maintaining life is a priority.

### The Security Manager/OIC shall ensure that the allowable number of Escorting Officers accompany the prisoner, if the prisoner is deemed violent.

## Executive Council prisoners

### An Executive Council (EXCO) prisoner is generally only approved for transport to an external facility for a scheduled appointment by order of the Governor. The Director Sentence Management (DSM) as delegated by the Chief Executive Officer, may approve urgent unscheduled movements[[11]](#footnote-11).

### Movements of EXCO prisoners authorised by the Governor are not date specific therefore authority for movement shall be obtained prior to the booking of a medical appointment.

### The Movements Officer shall ensure the correct approval is obtained prior to the transportation of an EXCO prisoner, unless in the case of an emergency situation requiring the movement to be made without delay (ie life threatening medical emergency).

### All applications and enquiries regarding EXCO transfers shall be directed to the relevant directorate ([CS-AMP-Operations@justice.wa.gov.au](mailto:CS-AMP-Operations@justice.wa.gov.au)) or ([WYP@justice .wa.gov.au](mailto:WYP@justice%20.wa.gov.au)).

## Funerals and other compassionate leave

### Once a Funeral Application (TOMS) or application for other compassionate leave is approved by the delegated approving authority (see [COPP 13.5 – Authorised Absences and Absence Permits](http://justus/intranet/prison-operations/Pages/prison-copps.aspx)), Sentence Management staff (or OPCEN after-hours) shall notify the Contractor of Absence Permit requirements for the movement and in accordance with the following timeframes:

1. metropolitan escorts (within 200kms one way from a metropolitan prison) – by 5:00pm the day prior to the escort (eg funeral on Thursday, notification by 5pm Wednesday)
2. metropolitan escorts (over 200 to 400kms one way from a metropolitan prison) – by 5:00pm 1 day prior to the escort (eg funeral on Thursday, notification by 5pm Tuesday)
3. metropolitan escorts above 400kms – by 5:00pm 2 days prior to the escort (eg funeral on Thursday, notification by 5pm Monday)
4. regional escorts – by 5:00pm 2 days prior to the escort (eg funeral on Thursday, notification by 5pm Monday).

### Travel plans to regional locations shall be made well in advance to utilise scheduled weekly escorts where possible.

### If the approval process is to proceed outside the timeframes outlined in section 6.12.1, the Contractor shall only facilitate the escort if they have the capacity and resources available to do so.

### The Contractor shall provide transport as soon as practicable. Prison Officers shall be considered to conduct the escort if the Contractor is unable to provide the required service due to the urgency and nature of the visit.

### Corrective Services shall facilitate the escort of prisoners where the Contractor is unable to do so.

### Sentence Management staff shall advise the prison of the Absence Permit/Leave of Absence Order requirements.

## Visits to ill relative notification

### Once a visit to a dangerously ill relative is approved by the delegated approving authority on TOMS (see [COPP 14.5 – Authorised Absences and Absence Permits](http://justus/intranet/prison-operations/Pages/prison-copps.aspx)), the Contractor’s Control Centre and the OPCEN shall be notified of the approval by Sentence Management (or OPCEN after-hours).

### The Superintendent/OIC shall ensure delegated officers prepare the prisoner for the escort in accordance with this COPP and [COPP 14.5 – Authorised Absences and Absence Permits](http://justus/intranet/prison-operations/Pages/prison-copps.aspx).

### The OIC shall ensure the relevant hospital security is contacted (if the dangerously ill relative is located at a medical facility), to enable security arrangements to be made and advise of:

1. the prisoner’s name
2. security rating
3. other relevant factors.

# Placement within Casuarina Infirmary

## Discharge from hospital

### The following procedures shall occur:

* The sending Prison Health Services/Hospital and Casuarina Health Services are to discuss and to confirm placement within the infirmary.
* Casuarina Health Services are to notify Casuarina Movements (and Casuarina Operations out of business hours) that placement has been confirmed
* Casuarina Movements to email the Operations Centre and the sending prison confirming placement
* Should notification be received out of hours, Casuarina Operations are to notify the sending prison and call the Operations Centre
* Sending prison is to place the prisoner on the T & D sheet for transfer to Casuarina
* Operations Centre will direct Ventia to transport the prisoner to Casuarina rather than return the prisoner to the prison they originally departed from
* Once discharged from the infirmary, Casuarina Movements to request transfer back to the sending prison in accordance with [COPP 12.4 – Prisoner Transfers](https://justus/intranet/prison-operations/Pages/prison-copps.aspx).

## Receival from court

### The following procedures shall occur:

* The Health Executive/Adult Male Prison Executive and Casuarina Health Services are to discuss and confirm placement within the infirmary.
* Casuarina Health Services are to notify Casuarina Movements (and Casuarina Operations out of business hours) that placement has been confirmed
* Casuarina Movements to email the Operations Centre confirming placement.
* Should notification be received out of hours, Casuarina Operations are to call the Operations Centre
* Operations Centre will direct Ventia to transport the prisoner directly to Casuarina for receival
* Should the person be appearing at District Court Building/Central Law Courts, Operations Centre will advise G4S contracted services of the intended placement at Casuarina
* Operations Centre will advise Hakea that they will not be receiving the prisoner ex court.

# Hospital Orders

## Overview

### A Hospital Order is an order made by a court under legislation[[12]](#footnote-12) that orders the transport of a prisoner by Prison Officers, WAPF Officers and/or the Contractor to an authorised hospital for assessment by a psychiatrist.

### A Hospital Order can be made from court or prison (if appearing via video link).

### On completion of the psychiatrist’s assessment, the following applies:

1. if the accused is made an involuntary patient[[13]](#footnote-13), they will remain at the authorised hospital until the next scheduled court appearance
2. if the accused is not made an involuntary patient, they will be transferred to a prison and detained until the next scheduled court appearance. In these circumstances the Movements/Reception Officer, on receiving notification from the authorised hospital, shall liaise with the OPCEN who shall contact the Contractor to arrange the prisoner’s return to prison.

### Upon admittance to hospital on a Hospital Order, the Movements/Reception Officer of the sending prison shall discharge a prisoner off the TOMS prison count if there is no other reason for them to remain in custody. If the prisoner has other remand warrants or are imprisoned for other matters, they shall remain on the prison count.

## Hospital Orders from court

### Upon issue of a Hospital Order from a metropolitan court, the prisoner is to be transported directly to the authorised hospital (generally the Frankland Centre).

### The Contractor shall ensure the authorised hospital has been contacted to confirm bed availability prior to transport.

### If immediate bed availability is confirmed, the court’s custody provider shall contact the Contractor to organise the escort of prisoners from court to the authorised hospital.

### If it is not possible for the prisoner to be transported directly to the authorised hospital, the Hospital Order has the effect of a Remand Warrant allowing for the continued custody of the accused in a prison or lockup whilst awaiting placement, as long as the movement is expeditiously organised. In these circumstances the court’s custody provider or WAPF shall liaise with the nearest prison, OPCEN and the Contractor to organise the movement of prisoners to the nearest receiving prison.

### The prison shall receive the accused into custody pending the arrangement of the transfer to the authorised hospital and the Reception Officer shall:

1. complete the relevant intake processes in accordance with [COPP 2.1 Reception](http://justus/intranet/prison-operations/Pages/prison-copps.aspx)
2. document in the warrants module that the accused is held on a Hospital Order
3. advise Mental Health Alcohol and Other Drugs (MHAOD).

### The Superintendent shall ensure a TOMS incident report, in accordance with [COPP 13.1 – Incident Notifications, Reporting and Communications](http://justus/intranet/prison-operations/Pages/prison-copps.aspx), is submitted by the prison, detailing the arrangements for the movement to the authorised hospital, when a prisoner is temporarily held in the prison pending movement.

### The Movements/Reception Officer at the receiving prison shall contact the OPCEN to arrange the transfer of a prisoner to the authorised hospital via the Contractor as soon as practicable once a bed becomes available.

## Hospital orders from prison

### Upon issue of a Hospital Order from a metropolitan prison, the prisoner is to be transported directly to the authorised hospital (generally the Frankland Centre). The Movements/Reception Officer shall email the OPCEN and follow up with a telephone call to arrange the transfer of a prisoner to the authorised hospital via the Contractor as soon as practicable.

### The Movements/Reception Officer shall contact the authorised hospital and advise of the imminent transfer of the prisoner.

### The Movements/Reception Officer shall contact the OPCEN to arrange the Contractor to move the prisoner directly to the authorised hospital as soon as practicable.

### If it is not possible for the prisoner to be transported directly to the authorised hospital (ie no bedspace available/coming from a regional prison, etc) the Hospital Order has the effect of a Remand Warrant allowing for the continued custody of the accused in a prison or lockup whilst awaiting placement, as long as the movement is expeditiously organised.

### If the Hospital Order was issued at a regional prison the Movements Officer shall liaise with the prison nearest to the authorised hospital, OPCEN and the Contractor to organise the movement of prisoners to the nearest receiving prison.

### If the prisoner is already held at the nearest metropolitan prison, they shall remain until a bed becomes available or the movement is able to be facilitated.

# High Security Escorts

## General requirements

### The escort of High Security Escort (HSE) prisoners shall be conducted by the SOG or where appropriate the Albany Security Unit (ASU), following HSE status being determined by the HSE Assessment Panel, in accordance with [COPP 12.5 – High Security Escorts](http://justus/intranet/prison-operations/Pages/prison-copps.aspx).

# Annexures

## Related COPPs and other documents

**Related COPPs**

* [COPP 2.1 – Reception](http://justus/intranet/prison-operations/Pages/prison-copps.aspx)
* [COPP 3.1 – Managing Prisoner Property](http://justus/intranet/prison-operations/Pages/prison-copps.aspx)
* [COPP 4.6 –Trans, Gender Diverse and Intersex Prisoners](http://justus/intranet/prison-operations/Pages/prison-copps.aspx)
* [COPP 4.9 – At-Risk Prisoners](http://justus/intranet/prison-operations/Pages/prison-copps.aspx)
* [COPP 6.1 – Prisoner Access to Health Care](http://justus/intranet/prison-operations/Pages/prison-copps.aspx)
* [COPP 11.2 – Searching](http://justus/intranet/prison-operations/Pages/prison-copps.aspx)
* [COPP 11.3 – Use of Force and Restraints](http://justus/intranet/prison-operations/Pages/prison-copps.aspx)
* [COPP 11.4 – Firearm Management](http://justus/intranet/prison-operations/Pages/prison-copps.aspx)
* [COPP 12.3 – Conducting Escorts](http://justus/intranet/prison-operations/Pages/prison-copps.aspx)
* [COPP 12.5 – High Security Escorts](http://justus/intranet/prison-operations/Pages/prison-copps.aspx)
* [COPP 12.7 – Warrants](http://justus/intranet/prison-operations/Pages/prison-copps.aspx)
* [COPP 13.1 – Incident Notifications, Reporting and Communications](http://justus/intranet/prison-operations/Pages/prison-copps.aspx)
* [COPP 14.5 – Authorised Absences and Absence Permits](http://justus/intranet/prison-operations/Pages/prison-copps.aspx)
* [COPP 14.6 – Prisoners Released from Custody](http://justus/intranet/prison-operations/Pages/prison-copps.aspx)

**Other documents**

* [Court Security & Custodial Services (CS & CS) contract](https://www.parliament.wa.gov.au/publications/tabledpapers.nsf/displaypaper/3914901aa07fe9393c76e34f4825806e0027deca/$file/4901.pdf)

## Definitions and acronyms

|  |  |
| --- | --- |
| **Term** | **Definition** |
| Admission to Hospital | Where a prisoner is accepted for inpatient services at a hospital |
| Appointment | Any medical appointment, consultation, examination, treatment or procedure |
| At-Risk Management System (ARMS) | The At-Risk Management System is the Department’s multi-disciplinary suicide prevention strategy for offenders. The tri-level system includes:   * Primary prevention – strategies to create physical and social environments in the detention centre that limits stress on detainees. * Secondary prevention – strategies to support detainees at statistically higher risk of self-harm or suicide. * Tertiary prevention – strategies aimed directly at individuals identified as at risk of self-harm or suicide |
| Authorised hospital | In accordance with s. 541 *Mental Health Act 2014*, is a public hospital, or part of a public hospital in respect of which an order is in force under s. 542 *Mental Health Act 2014* or is a private hospital the licence of which is endorsed under s. 26DA(2) *Hospitals and* *Health Services Act 1927* |
| Commissioner’s Operational Policy and Procedure (COPP) | COPPs are policy documents that provide instructions to staff as to how the relevant legislative requirements are implemented. |
| Contract Director | As defined in Schedule 14 of the CS & CS Contract |
| Contract Manager | The manager appointed by the Department to manage the CS & CS contract on behalf of the Department |
| Contractor | The organisation engaged to provide prisoner transport services under the *Court Security and Custodial Services Act 1999* |
| Court | Courts and Tribunals of Western Australia and any place in Western Australia where a person or body acts judicially |
| Court Custody Provider | The organisation engaged to provide court custody services under the *Court Security and Custodial Services Act 1999* |
| electronic Prisoner Escort Management System (ePEMS) | The CS&CS Contractor’s electronic Prisoner Escort Management System used for recording events related to prisoners in their custody. |
| End point of the escort | The end point of an escort is either (as applicable):   * the room where a consultation is to occur (eg for medical appointments) * the point at which Escorting Officers are no longer responsible for the security of the prisoner (eg for an inter-prison transfer, court appearance, etc.) |
| Escorting Officers | A Prison Officer, officer employed under the CS & CS Contract, or an officer employed by a private prison contractor who is trained to conduct prisoner escorts |
| Escorted travel | Prisoner movement between two locations on a departmental owned, chartered or contracted vehicle or aeroplane, while under escort by WAPF or escorting officers |
| Essential medication | Medication authorised by health services clinicians that in its absence would have a profound or significant effect on the prisoner’s health and/or fitness to travel at that time |
| EXCO | Executive Council |
| Fitness to travel | A prisoner’s ability to undertake vehicle or air travel in an air-conditioned vehicle, subject to adequate rest stops, sustenance and hydration and the availability of essential medication, without significant medical risk |
| Guiding Principles for Corrections in Australia, 2018 | The guiding 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. |
| Hospital sit | Supervision of a prisoner whilst admitted to a hospital |
| Judicial body | A court, tribunal or other body or person that has judicial or quasi-judicial functions or otherwise acts judicially |
| Involuntary patient | Under the *Mental Health Act 2014*, an involuntary patient is a person who is under an involuntary treatment order and can be admitted to a hospital and detained there for treatment without informed consent. |
| Medical appointment | An appointment made with a designated medical practitioner at a designated time at a location external to the prison |
| Medical emergency | A medical incident where medical assistance is required to provide treatment that is necessary to save a life or prevent serious harm and requires immediate action to prevent further deterioration. |
| Medical practitioner | A person who is registered under the [*Health Practitioner Regulation National Law (WA) Act 2010*](http://www.slp.wa.gov.au/legislation/statutes.nsf/main_mrtitle_12106_currencies.html) in the medical profession (eg a doctor). |
| Movements Officer | The Officer responsible for preparing and providing prisoner movements information for prisoners based at the prison. This includes completing and collation of the paperwork and associated TOMS records necessary to facilitate the transfer, movement and release of prisoners |
| Officer in Charge (OIC) | As defined in *s. 3(1)* [*Prisons Act 1981*](http://www.slp.wa.gov.au/legislation/statutes.nsf/main_mrtitle_751_homepage.html)and refers to either the designated Superintendent or the officer in charge of a prison at a particular time.  Also includes any contract worker authorised by the Commissioner in accordance with s. 15I (1) (a) [*Prisons Act 1981*](http://www.slp.wa.gov.au/legislation/statutes.nsf/main_mrtitle_751_homepage.html)to perform the functions of a superintendent in a privately operated prison. |
| OMI | Offender Movement Information (TOMS printout) sheet |
| OPCEN – Operations Centre | The Operations Centre (OPCEN) is a central business unit for Corrective Services under the Operational Support Directorate (OPSPT) comprising Prisoner Movements and Response Coordination. The OPCEN has multiple functions, including providing reporting to stakeholders regarding Critical Incidents; security and operational advice for incident management; identifying and mitigating risk; coordination of inter-prison transport and stakeholder engagement. |
| Outpatient | Prisoner who attends a hospital for treatment without being admitted |
| PiC | Person in custody |
| Postnatal prisoner | A prisoner having given birth but prior to the prisoner’s discharge from hospital. A prisoner may be deemed as postnatal for the purposes of these procedures post birth (up to 6 weeks following the birth) by Health Services staff. Deeming such prisoners as postnatal shall occur prior to each individual escort, in consultation with the Superintendent |
| Pregnant prisoner | A prisoner confirmed to be pregnant by Health Services staff |
| Prisoner | Any person in lawful custody and defined as a prisoner in s. 3 [*Prisons Act 1981*](http://www.slp.wa.gov.au/legislation/statutes.nsf/main_mrtitle_751_homepage.html); also includes a person not yet in the custody of a prison, but in the custody of a Contractor under the court security and custodial services contract |
| Prison Officer | A person engaged or deemed to have been engaged to be a prison officer under s.13 [*Prisons Act 1981*](http://www.slp.wa.gov.au/legislation/statutes.nsf/main_mrtitle_751_homepage.html)or deemed to have been appointed under s. 6 to an office designated. |
| Public Service Officer | An officer employed in the State Government Public Service, subject to Part 3 *Public Sector Management Act 1994* and includes such officers and other persons as are necessary to implement or administer this Act |
| Relevant Assistant Commissioner | Either the Assistant Commissioner Custodial Operations (Adult Male Prisons) or Assistant Commissioner Women and Young People. |
| Return Order | A direction issued by a prison for the return of a prisoner from court, where instrument(s) authorising the detention of the prisoner remain after court proceedings |
| Security Manager | The officer in charge of security in a prison, who is responsible for the controlling and administering of security functions in a prison, including intelligence gathering and analysis and risk management. |
| Special Operations Group (SOG) | Provides specialist emergency response and security support services for all correctional facilities within the State. |
| Staff | Any person in the paid or unpaid employment of the Department of Justice, Corrective Services, including contractors, subcontractors and volunteers |
| 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)and includes any reference to the position responsible for the management of a private prison under Part III (A) [*Prisons Act 1981*](http://www.slp.wa.gov.au/legislation/statutes.nsf/main_mrtitle_751_homepage.html). Does not extend to the Officer in Charge of a prison |
| Total Offender Management Solution (TOMS) | An electronic database used by the Department of Justice to record and manage comprehensive information relating to prisoners and detainees. |
| Video link | A visit that is conducted between two or more participants at different sites by using computer networks to transmit audio and video data. Generally used for Official purposes such a Court appearance via video. |
| WA Police Force | Western Australian Police Force |
| Warrant | A written order of a judicial body, including a Bring Up Order (includes courts, tribunals, Royal Commission, Corruption and Crime Commision) |

## Related legislation

* *Prisons Act 1981*
* *Prisons Regulations 1982*
* [*Criminal Law (Mentally Impaired Accused) Act 1996*](https://www.slp.wa.gov.au/legislation/statutes.nsf/main_mrtitle_228_homepage.html)
* *Cross-border Justice Act 2008*
* *Court Security and Custodial Services Act 1999*
* *Hospitals and Health Services Act 1927*
* *Mental Health Act 2014*

# Assurance

It is expected that:

* Prisons will undertake local compliance in accordance with the [Compliance Manual](http://justus/intranet/department/standards/Pages/monitoring.aspx).
* 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/intranet/department/standards/Pages/monitoring.aspx).
* Independent oversight will be undertaken as required.

# Document Version History

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Version no | Primary author(s) | Description of version | Date completed | Effective date |
| 1.0 | Operational Policy | Approved by the A/Director Operational Projects, Policy, Compliance and Contracts | 1 December 2020 | 4 January 2021 |
| 2.0 | Operational Policy | Approved by the Commissioner | 20 December 2021 | 4 January 2022 |
| 3.0 | Operational Policy | Approved by the Commissioner | 31 August 2022 | 9 September 2022 |
| 4.0 | Operational Policy | Approved by the Commissioner | 26 October 2023 | 20 December 2023 |

Appendix A: Service Provisions Table

The following table details the services that are to be provided by the Contractor at each prison per Schedule 6 of the CS & CS Contract:

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| Prison | Court Transfer | Inter-prison transfer\* | Lock-up clearance delivery | Medical Escorts | Hospital sits | Funeral escorts | Other escorts |
| Acacia |  |  |  |  |  |  |  |
| Albany |  |  |  |  |  |  |  |
| Bandyup |  |  |  |  |  |  |  |
| Boronia |  |  | **🗶** | **🗶\*\*** | **🗶** | **🗶** | **🗶** |
| Broome |  |  |  |  |  |  |  |
| Bunbury |  |  |  |  |  |  |  |
| Casuarina |  |  |  |  |  |  |  |
| EGRP |  |  |  |  |  |  |  |
| Greenough |  |  |  |  |  |  |  |
| Hakea |  |  |  |  |  |  |  |
| Karnet |  |  | **🗶** | **🗶\*\*** | **🗶** | **🗶** | **🗶** |
| Melaleuca |  |  |  |  |  |  |  |
| Pardelup |  |  | **🗶** | **🗶\*\*** | **🗶** | **🗶** | **🗶** |
| Roebourne |  |  |  |  |  |  |  |
| Wandoo  West Kimberley |   \*\*\* |    | **🗶**  **🗶** |   **🗶\*\*** |   **🗶** |   **🗶** |   **🗶** |
| Wooroloo |  |  | **🗶** | **🗶\*\*** | **🗶** | **🗶** | **🗶** |

**\***To/from Wyndham Work Camp under local agreement with Broome Regional Prison and local contracted provider

**\*\***Unless returning to a prison at the conclusion of a hospital sit

\*\*\*Excluding local Derby Court

Appendix B: Documentation for External Movements

The Delegated Officer shall ensure the relevant authorised documentation is prepared in relation to each escort/transfer.

**Part 1 – All movements originating from prison**

| Document | Purpose |
| --- | --- |
| **Transfer & Discharge (T&D) Sheet on TOMS** | Daily summary of all movements from a prison completed by Delegated Officer and signed by Superintendent/OIC as authority for all movements  Critical, no exemptions |
| **Offender Movement Information (OMI) sheet on TOMS** | Enables Delegated Officer to communicate detail regarding the movement by providing a printed copy to the Escorting Officers  Copy to reception for unsupervised movements |
| **Fitness to Travel Assessment on TOMS** | Enables Health Services to communicate a prisoner’s fitness to undergo escorted travel and ensure proper care is available to them during the movement  Critical for Delegated Officers to ensure an up-to-date assessment is present for all except unsupervised movements (eg PEP), and transport by ambulance |
| [**Escort Dispatch Checklist**](http://justus/intranet/prison-operations/Pages/copp-forms.aspx) **form** | Enables Security Manager/Principal Officer/OIC to confirm that Escorting Officers have completed the required checks prior to departure  Required for all external movements from prison except those conducted by the Contractor |
| **External Movement Risk Assessment (EMRA) on TOMS or Contractor’s equivalent** | Enables Superintendent/OIC/DC WYP to assess risk and authorise a variation to security of vehicle, restraints, and/or number of Escorting Officers  Critical for all movements requiring variation except those conducted by the Contractor, external activities, emergencies, and/or coach/air travel (see PMRA) |
| **Prisoner Movement Risk Assessment (PMRA) on TOMS** | Enables Superintendent/OIC to assess risk and authorise a variation to security of vehicle, restraints, and/or number of Escorting Officers when transport is by coach/air  Critical for all movements by coach/air |
| **SAMS – Observation and Interaction Record – Offender in Transit on TOMS** | Enables Delegated Officer to advise Escorting Officers of a prisoner’s SAMS status and Escorting Officers to record observations  Required for all movement of prisoners on SAMS |
| **ARMS – Observation and Interaction Record – Offender In Transit on TOMS** | Enables Delegated Officer to advise Escorting Officers of a prisoner’s ARMS status and Escorting Officers to record observations  Required for all movement of prisoners on ARMS |

**Part 1A – Transfers**

| Document | Purpose |
| --- | --- |
| [**Application for Temporary Placement at Western Australian (WA) Police Force Lockup**](http://justus/intranet/prison-operations/Pages/copp-forms.aspx) | Enables Superintendent to request a prisoner’s temporary placement in lockup when in transit between prisons/at the request of the prisoner/when accommodation is insufficient at the local prison/for release/other extenuating circumstances as per [COPP 12.6 - Prisoners in WA Police Force Lockups](http://justus/intranet/prison-operations/Pages/prison-copps.aspx) |
| [**Prisoner Transfer Sheet**](http://justus/intranet/prison-operations/Pages/copp-forms.aspx) **form** | Used by Delegated Officers to book transfers  Required for all inter-prison transfers |
| **Transfer Plan**  [**COPP 12.4 – Prisoner Transfers**](http://justus/intranet/prison-operations/Pages/prison-copps.aspx) **(Appendix D)** | Developed by the Superintendent in conjunction with case conference for all prisoners identified as at risk of self-harm |
| **Transfer Advice on TOMS** | Required for all inter-prison transfers |
| **Pre-Transfer Information on TOMS** | Summarises transfer information from sending prison highlighting upcoming court, health and visit times |
| **Inter-state Absence Permit** | Critical for all inter-state transfers |
| ***Aviation Transport Security Regulations 2005* Schedule Form 1 – Notice of the Proposed Movement of a Person in Custody (air travel)** | Completed by OPCEN/sending prison and provided to the Contractor (as required) and commercial air transport operator  Required for all transfers by commercial air transport |
| **Temporary Transfer for Visits (TOMS)** | For all temporary transfer of prisoners between prisons for social visits |

**Part 1B – Prison to court**

| Document | Purpose |
| --- | --- |
| **At least one document requiring the defendant’s appearance in Court (eg Remand Warrant, Bring Up Order, Summons, Court Hearing Notice)** | Provides details of required Court appearance |
| **Bail paperwork** | Provides details of bail where relevant |
| **Prison Authority Return Advice on TOMS** | Enables the Superintendent and/or delegate to advise that the prisoner must be returned to prison following a Court appearance when there is an instrument of continued custody and/or a current sentence of separate confinement |
| **Prisoner Release Checklist (TOMS)** | Provides prison staff with a checklist to ensure all release requirements are completed prior to a prisoner’s release. |
| **Prisoner Release from Court Checklist (TOMS)** | A checklist to be completed by the prison when a prisoner has been identified as a possible release from Court. This is to be handed to the Contract Service Provider prior to the escort. |

**Part 1C – Prison to medical**

| Document | Purpose |
| --- | --- |
| **Form 1A – Referral for Examination by Psychiatrist** | Enables a medical practitioner or authorised mental health practitioner to refer a prisoner for examination by a psychiatrist  Critical for Mental Health Act Transfers under the *WA Mental Health Act 2014* |
| **Medical Appointment Form on TOMS** | Enables the Superintendent to authorise the movement of a prisoner to an external medical appointment and provides details of appointment to Escorting Officers  Required for all scheduled external medical appointments |
| **Hospital Admittance Advice on TOMS** | Once finalised, sends an automatic notification to be sent to OPCEN & CS & CS Control Centre advising of the prisoner’s admittance to hospital, enabling appropriate co-ordination of the hospital sit  Required when a prisoner is **admitted** to hospital (applies to scheduled admissions and following an emergency) |
| **Prisoner Transfer Receipt s83** | Required when a prisoner at the Frankland Centre under a Form 1A requires transfer from Frankland to another hospital for medical treatment (eg following a medical emergency) |
| **Hospital Order (Form 3)** | Enables the Court to Order a prisoner under the *Criminal Law (Mentally Impaired Accused) Act 1996* be taken to the Frankland Centre for assessment by a psychiatrist  Also allows for the continued custody of the accused in a prison whilst urgent movement arrangements are made, as long as the movement is implemented with all convenient speed |
| **Notification of Escort on TOMS** | To be provided to hospital security |

**Part 1D – Prison to other**

| Document | Purpose |
| --- | --- |
| **Absence Permit on TOMS** | Required for all absences granted subject to Part VIII of the *Prisons Act 1981* as outlined in COPP 14.5 – Absence Permits and Authorised Absences |
| **Leave of Absence Order** | Required for a Mentally Impaired Accused who is approved a leave of absence in accordance with the conditions set out in the *Criminal Law (Mentally Impaired Accused) Act 1996* |

**Part 2 – Police custody to prison**

| Document | Purpose |
| --- | --- |
| **Holding authority (eg Warrant/Court Order/Interstate/International sentencing documents)** | Minimum of one holding authority required to accept escort from WA Police Force (WAPF) custody |
| **Custody Summary Handover Report** | Provided by WAPF |
| **Medical Summary Report** | Provided by WAPF |
| **Police Custodial Care – Medical Treatment Report** | Provided by WAPF (as required) |
| **Property Report for Transfer** | Provided by WAPF |
| **Approved s. 74 Form** | Provided by WAPF to Contractor |

**Part 3 – Other external location to prison**

| Document | Purpose |
| --- | --- |
| **Holding authority (eg Warrant/Court Order/Interstate/International sentencing documents)** | Minimum of one holding authority required to accept custody |
| **Hospital Order (Form 3)** | Following Assessment by a psychiatrist at the Frankland Centre, an accused under the *Criminal Law (Mentally Impaired Accused) Act 1996* who **has not been made an involuntary patient** is moved to a prison until the next Court appearance  Once signed by the psychiatrist this Order acts as the authority for the accused to be detained in custody |
| **G4S C3S PIC Court Custody Summary** | Provided by Court Custody provider to Contractor |
| **ePEMS PIC Escort Record** | Provided by Contractor during custody handover |

1. Part 2, Division 2, s. 18 *Court Security and Custodial Services Act 1999* [↑](#footnote-ref-1)
2. s. 23, s. 26, s. 59, s. 85(1) and s. 95 *Prisons Act 1981*, s. 28 *Criminal Law (Mentally Impaired Accused) Act 1996* [↑](#footnote-ref-2)
3. s. 83 *Prisons Act 1981* [↑](#footnote-ref-3)
4. s. 95 *Prisons Act 1981* [↑](#footnote-ref-4)
5. *Cross Border Justice Act 2008* [↑](#footnote-ref-5)
6. s. 83 *Prisons Act 1981* [↑](#footnote-ref-6)
7. s. 78(1)(a)(b)(c) and (2) and (3) *Prisons Act 1981* [↑](#footnote-ref-7)
8. s. 14(1)(d) and (2) *Prisons Act 1981* [↑](#footnote-ref-8)
9. *Mental Health Act 2014* [↑](#footnote-ref-9)
10. S. 26 *Mental Health Act 2014* [↑](#footnote-ref-10)
11. s 26(2)(b) and (3) *Prisons Act 1981* [↑](#footnote-ref-11)
12. s*. 26 Mental Health Act 2014* [↑](#footnote-ref-12)
13. *Criminal Law (Mentally Impaired Accused) Act 1996* ss5, 14 [↑](#footnote-ref-13)