

Australian Capital Territory

Corrections Management (Reception and Management of Female Prisoners) Policy 2007*

Notifiable instrument NI2007-468

made under the

***Corrections Management Act 2007*, section 14(1) (Corrections policies and operating procedures)**

1 Name of instrument

This instrument is the *Corrections Management (Reception and Management of Female Prisoners) Policy 2007*.

2 Commencement

This instrument commences on the day after it is notified.

3 Policies and operating procedures

Under section 14 of the *Corrections Management Act 2007* (the Act), I make the

RECEPTION AND MANAGEMENT OF FEMALE PRISONERS

in Schedule 1 to this instrument, to facilitate the effective and efficient management of correctional services.

James Ryan
Executive Director
ACT Corrective Services
17 December 2007

*Name amended under Legislation Act, s 60



**Belconnen Remand Centre (BRC)
Symonston Temporary Remand Centre (STRC)
Court Transport Unit (CTU)**



RECEPTION AND MANAGEMENT OF FEMALE PRISONERS

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Purpose

To provide for the management of female prisoners accommodated at the BRC/STRC.

Authority

Legislation

Corrections Management Act 2007, sections 14 and 98, and part 9.4

Policy

1 Principles

- 1.1 All female prisoners are entitled to, and will have access to, the same level to programs, education, recreation, medical, and mental health services as male prisoners.

2 Induction

- 2.1 The admission procedure for a female is the same as admitting a male prisoner into custody.
- 2.2 If, during the initial interview, a female prisoner identifies that she is the primary care giver of any children, the Case Manager must interview the prisoner within 24 hours of induction, or in the case of a weekend reception, on the next business day.
- 2.3 If, during the initial interview, a female prisoner identifies that she is pregnant, the prisoner must see a medical professional before she is moved to the accommodation unit.

3 Gender separation

- 3.1 Male and female prisoners will be kept separate at all times.
- 3.2 Where areas are utilised for both male and female prisoners, male prisoners must be absent from the area before female prisoners access it. Likewise, female prisoners must vacate any area before it is utilised by male prisoners.

4 Employment

- 4.1 Any employment opportunities that exist within the female accommodation area should be allocated to female prisoners.
- 4.2 Employment opportunities that exist within the correctional centre where a female prisoner is housed but in an area where there is access of both male and female prisoners should be shared between the male and female prisoners at that facility.

5 Medical

- 5.1 Female prisoners will be able to access medical services as required in accordance with the *Medical Treatment Policy*.
- 5.2 Female prisoners may request to be seen by a female doctor or nurse. This will be accommodated where possible. In cases requiring emergency or urgent medical treatment, the security and good order of the facility, as well as the safety of the prisoner and others, will take priority.
- 5.3 Gynaecological and obstetric services should be made available on referral from medical staff.
 - 5.3.1 This includes referral to birthing classes for pregnant prisoners.
 - 5.3.1.1 Birthing classes may be conducted within the BRC/STRC or in the community following an assessment of the risks to the prisoner, the security of the facility, and the community.
- 5.4 Pregnancy and child birth
 - 5.4.1 In the case of a female prisoner who is pregnant, the birth should take place in a hospital outside the prison facility (where practicable).
 - 5.4.2 In the final stages of the pregnancy, the prisoner should not be housed alone.

- 5.4.3 Arrangements will be made as soon as practicable for the prisoner to contact her family or the baby's father following the onset of labour, and following the birth of a child.
- 5.4.3.1 Where the prisoner is not able to contact their relevant support person, arrangements will be made for that contact to be made on her behalf.
- 5.4.4 Following a security assessment, consideration must be given to allowing a support person to be with the prisoner during the birth.
- 5.4.5 In the event of a miscarriage the Superintendent is responsible for ensuring adequate emotional, cultural, and/or religious support is given to the prisoner.
- 5.4.5.1 The prisoner should be given access to a telephone to inform her family of the miscarriage.

6 Visits

- 6.1 The visits procedure for female prisoners is outlined in policy and procedure *Visits Policy*.

7 Supervision of female prisoners

- 7.1 Male Corrections Officers stationed within a female accommodation yard must remain in sight (visual or camera) of another Corrections Officer.
- 7.2 No male Corrections Officer may enter the cell of a female prisoner without being in the presence of another Corrections Officer.
- 7.3 Where practicable, only female Corrections Officers will monitor female prisoners under camera observation.
- 7.4 Male Corrections Officer should not be deployed as the sole Escort Officer on external escorts.
- 7.5 Where a review of an incident is necessary, appropriate personnel (regardless of gender) who are directly responsible for ensuring compliance with policies and procedures may review videotaped records. The location of this viewing should take into account the privacy and dignity of the prisoner.

8 Searching of female prisoners

- 8.1 The searching of female prisoners will be conducted in accordance with the *Searching Policy and Procedure*.

- 8.2 Female Corrections Officers must complete all frisk and strip searches on female prisoners.
- 8.2.1 The Superintendent (or delegate) may direct a male Corrections Officer to frisk search a female prisoner in exceptional circumstances. Exceptional circumstances are such that the risk to the good order or security of the facility or a person (including the prisoner) is immediate and a female Corrections Officer is not available attend within a timeframe deemed acceptable having regard to the risk.
- 8.2.2 Where a male Corrections Officer is conducting a search on a female prisoner, a female staff member must be present.
- 8.2.2.1 This staff member may be a non-correctional staff member.
- 8.2.3 Consideration should be given to isolating the female prisoner so that a female Corrections Officer may conduct the search. The urgency of the situation will determine if this is possible.
- 8.2.3.1 In an emergency, a male Corrections Officer may restrain or otherwise detain a female prisoner until a female Corrections Officer is available to conduct the necessary search.
- 8.3 No male Corrections Officer may witness the strip search of a female prisoner. All male persons must be removed from any area in which a strip search of a female prisoner is taking place.
- 8.4 A male Corrections Officer may search a female prisoner with a scanning device where the use of that scanning device does not involve any physical contact.
- 8.4.1 Where a male Corrections Officer is conducting a search on a female prisoner, a female staff member must be present.
- 8.4.1.1 This staff member may be a non-custodial staff member.
- 8.4.2 A male Corrections Officer may not use the SOTER X-Ray Body Scanner on a female prisoner.

9 Access to outside agencies

- 9.1 Subject to the approval of the Superintendent, members of community-based organisations operating outside a correctional centre may be granted

access to the facility to conduct programs and/or education for female prisoners.

- 9.2 Any member of a community-based organisation that is granted access to the facility is subject to all policies and procedures regarding searching and contraband.

Related policies and procedures

Placement of Prisoners at STRC Policy

Medical Treatment Policy

Visits Policy

Searching Policy

Searching Procedure