

Australian Capital Territory

# Corrections Management (Women and Children Program) Policy 2009

Notifiable instrument NI2009-663

made under the

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

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## **1 Name of instrument**

This instrument is the *Corrections Management (Women and Children Program) Policy 2009*.

## **2 Commencement**

This instrument commences on the day after it is notified.

## **3 Policy**

I make the

WOMEN AND CHILDREN PROGRAM POLICY

attached to this instrument, to facilitate the effective and efficient management of correctional services.

Barry Folpp  
A/g Executive Director  
ACT Corrective Services  
23 December 2009



Alexander Maconochie Centre (AMC)



## WOMEN AND CHILDREN PROGRAM POLICY

<b>Purpose</b>	<b>1</b>
<b>Authority</b>	<b>2</b>
<b>Policy</b>	<b>2</b>
Principles	2
<b>Scope</b>	<b>2</b>
Rationale	2
Duty of Care	3
Definitions	4
Program Eligibility	5
Health and Safety	5
Accommodation	5
Facilities	5
Meals	6
Health, Safety and Parenting Programs	6
Cultural Needs	6
Lockdown Provisions	6
Co-resident Prisoners	6
Compliance with ‘Kidsafe’ and ‘Safebaby’ Standards	6
Transportation of Children	6
Medical Emergencies	7
Death of Child	7
Governance – Parenting and Children’s Committee	7
Responsibilities	8
Responsibility of Caregiver	8
Responsibility of Temporary Carers	8
Responsibility of ACTCS	9
Responsibility of the Public Advocate of the ACT	11
Responsibility of the Office for Children, Youth and Family Support (OCYFS)	11
Responsibility of ACT Health	12
Process	12
Urgent Admissions	14
Monitoring and Evaluation	14
Release Plans	14
ACTCS Records Management	15
<b>Forms/Templates</b>	<b>15</b>
<b>Related policies and procedures</b>	<b>15</b>

### **Purpose**

The purpose of this program is to facilitate the maintenance or establishment of bonds and relationships between female primary caregivers (caregiver) and their children.

This policy details the criteria, process and agency roles that enable an eligible caregiver to participate in the *Women and Children Program*. The *Women and Children Program* provides an opportunity for eligible women to care for their babies

and young children at the Alexander Maconochie Centre (AMC) where it is considered to be in the best interests of the child and the security of the prison is not compromised. Caregivers may be granted approval to have their children reside with them on a full-time, part-time or short-term basis.

ACTCS supports the early nurturing and mutual bonding of children, mothers and fathers through the *Private Family Visits Program*.

ACT Corrective Services (ACTCS) Case Managers will ensure that caregivers and pregnant women are made aware of the *Women and Children Program* upon entry into the AMC, whether as sentenced prisoners or on remand.

The provisions for caregivers and their children will be of best practice and will allow for a caring, stimulating and normalised as possible environment, and where practicable, allowing for interaction with other children within or outside the AMC.

## **Authority**

### **Legislation**

*Corrections Management Act 2007*, Sections 12(1)(g),46,47,48,49 and Part 9.8

*Family Law Act 1975*

*Children and Young People Act 2008*

*UN Convention on the Rights of the Child*

## **Policy**

### **Principles**

The primary principle of this policy is to ensure that the best interests of the child are met and maintained.

This policy will facilitate the maintenance and establishment of bonds between female primary caregivers and their children.

## **Scope**

This policy commences when an application is made to participate in the Women and Children Program.

## **Rationale**

Evidence suggests that children are more likely to suffer significant impact on their emotional development if they experience disrupted attachment (including separation from a caregiver) between the ages of four to six months and three years. Further, any separation of the caregiver from the child may have a significant impact on the caregiver's capacity to bond with the child and engage in effective parenting.

With this in mind, provision has been made for children to potentially reside with their caregiver, should she be the primary caregiver, at the AMC. The policy is extended beyond the scope of the biological mother to include any female primary caregiver.

The Superintendent, as the delegate of the Chief Executive Officer (CEO), Department of Justice and Community Safety (JACS), is responsible for maintaining the security and good order of the AMC. As such, delegated discretion to

accommodate any child within the adult correctional facility rests with the Superintendent.

The *Women and Children Program Policy* provides guidelines for the management and governance of children staying with their caregiver at the AMC. Due to AMC operational reasons, both for the security of the facility and safety of the child, the *Women and Children Program* currently applies only to female caregivers.

As ACTCS is predominantly involved in the duty of care of adult offenders, it is noted that agencies holding expertise in the care and safety of children and youth are integral in assisting ACTCS with the administration of the *Women and Children Program*. All reasonable measures will be taken in consultation with relevant agencies to ensure that the best interests of the child are protected and promoted by this policy.

### **Duty of Care**

When a caregiver is permitted to have a child reside with her in the AMC, she is expected to assume full responsibility for the child's care and safety while residing in the prison. A co-resident temporary carer will assume responsibility for the child's care and safety when the co-resident temporary carer is responsible for supervision of the child. However, ACTCS continues to owe a duty of care to that child. This means that ACTCS will take all reasonable steps to minimise all foreseeable risks of harm that might occur to a child residing in a prison or visiting a prison.

The Parenting and Children's Committee (PCC) whose role is outlined on Page 7 of this document will consider the risks for every application by taking into account the Risk Register (refer to the *Women and Children's Program Procedure*).

It is acknowledged that the standard of care required of ACTCS will be high. In order for this standard of care to be upheld, ACTCS will:

- provide a best possible environment, facilities and services for the caregiver and children;
- provide child-friendly and smoke-free areas;
- engage a professional assessor to make an expert assessment of the child's best social, emotional and environmental interests;
- develop clear guidelines for child protection concerns and reporting requirements if safety risk factors emerge;
- develop a care plan that will clearly establish the responsibilities of ACTCS and the standards and expectations of the caregiver with regard to the safety and wellbeing of the child in the prison environment;
- provide caregivers and co-residents with information and training on child awareness and caregiver requirements to ensure responsible and safe child-rearing practices are applied;

- provide staff with information and training on mandatory reporting, infant/child specific first aid, ante and post natal awareness training;
- provide access to associated support services including child health services, playgroups, preschool programs; and
- report any incidents in accordance with mandatory reporting guidelines.

### **Definitions**

*Best interest of the child* – takes into consideration the child’s best alternative long term living arrangement, which includes consideration of the least intrusive, most normalising and least restrictive course of action possible given the child’s needs, views and wishes regardless of the caregiver’s wishes and capacity to care for the child.

*Care Plan* – refers to the document that identifies any areas of concern regarding the safety of the child within the prison setting and in relation to *the Women and Children Program*, and any issues arising in relation to the child’s access to the community. The plan will outline the responsibilities of ACTCS including strategies to manage identified risks, as well as expectations and standards of the caregiver when caring for a child in a prison environment.

*Child* – refers to a child from 0–4 years

*Full-Time Care* – refers to ongoing whole-day care arrangement of a child while residing at the prison.

*Part-Time Care* - refers to ongoing part-day care arrangement of a child while residing at the prison.

*Primary Caregiver* – means the child’s parent or another person who has parental responsibility for the child within the meaning of division 1.3.2 of the *Children and Young People Act 2008* or a person who is an informal relative caregiver for the child and is also a primary carer. This may also be someone required by the *Family Law Act* to have parental responsibility for a child.

*Short-Term Care* – refers to temporary full-time or part-time care of a child while residing at the prison.

*Co-Resident Temporary Carer* – appropriate and responsible person nominated by the caregiver to care for the caregiver’s child on a short-term basis who resides in the AMC. Additional co-resident temporary carers may be nominated by the primary caregiver.

*Non Resident Temporary Carer* - appropriate and responsible person nominated by the caregiver to care for the caregiver’s child on a short-term basis who does not reside in the AMC. At least two temporary non resident temporary carers must be nominated.

### **Program Eligibility**

All women received into prison custody including women on remand or who are on bail from a court who are the caregivers of children up to pre-school age, or who are pregnant, can apply to participate in the *Women and Children Program* to have their child reside with them at the AMC.

Where a female at pre-sentence stage is eligible for, or is already participating in, the *Women and Children Program*, the prisoner's Case Manager must refer to this eligibility in the Pre-Sentence Report (PSR).

The status of a female prisoner as the caregiver of the child is key in determining her eligibility for the *Women and Children Program*. This allows for consideration of caregivers who are not the biological mother of a child to participate in the program. Prospective program participants must demonstrate their primary caregiver status in relation to the child they wish to reside with them at the AMC.

Male prisoners are not currently eligible for this program. This is predominantly due to ACTCS assessments of the unacceptable level of risk associated with the placement of children in the male section of the AMC. However, if the father of a child who resides with their caregiver at the AMC is also detained at the AMC, arrangements can be made for eligible applicants to participate in supervised visiting using the Private Family Visits Area.

Similarly, new fathers at the AMC may be eligible for supervised visits using the Private Family Visits Area to support early bonding with their child.

Eligibility for the caregiver to have the child reside with them at the AMC must, and will, take into consideration all relevant law, particularly the *Family Law Act 1975* and the *ACT Children and Young People Act 2008*. Court rulings regarding the parenting orders for the child must be taken into consideration. For example, if shared parenting responsibility is in place for the child, this policy cannot supersede that ruling and must make provisions for the ruling to be enacted.

If shared parenting orders for the child are in place, all reasonable steps will be taken to ensure that the relevant parties of the orders are notified of the application for the child to reside at the AMC with the female caregiver.

### **Health and Safety**

#### **Accommodation**

An eligible child will be placed in a women's cottage at the AMC. The women's cottage consists of two five bedroom units with a shared living room, dining room, kitchen, laundry and courtyard. Every female prisoner will have keys to access their bedroom within the cottage.

#### **Facilities**

All buildings within the AMC are smoke-free. Child play areas exist within the Women's Community Centre, the Gatehouse and the Visits Centre. ACTCS will supply aids to foster a caring environment such as toys, educational material, bath tubs, high chairs and strollers.

### Meals

ACTCS will provide food suitable for children, pregnant women and breastfeeding mothers. The caregiver is responsible for preparing meals for herself and the child in the kitchen of her cottage.

### Health, Safety and Parenting Programs

All female prisoners will complete a Community Living Skills program. The program includes information on occupational health and safety, code of conduct, blood and body spills, communal living and safe food handling. A parenting course will be provided to caregivers and other female prisoners which will include information on parenting skills, modelling/attachment behaviours, education on child development, positive discipline skills, and information on nutrition, hygiene and safety.

### Cultural Needs

An Indigenous Liaison Officer will be located on site to assist meeting the cultural needs of Indigenous prisoners. Indigenous Elders are Authorised Visitors at the AMC and may visit prisoners at their own instigation or at the request of prisoners.

A Chaplain is available to all prisoners to provide access to information on religious matters.

### Lockdown Provisions

During lockdown women can move around within their cottage including into the secure courtyard. This will also apply if a child resides with their caregiver in the cottage. If a child becomes ill during lockdown, on-site nurses will have access to the child residing in the cottage. Access for an ambulance to transport a child from the prison to a hospital will not be restricted during lockdown.

### Co-resident Prisoners

Prisoners are assessed on admission and case management systems are in place for ongoing assessment of all prisoners. A risk assessment of all female prisoners residing at the AMC will be undertaken before a child is placed in the cottage with their caregiver in accordance with the *Women and Children's Program Procedure*.

As part of the assessment all female prisoners will be screened for any sex offences or offences relating to child abuse. Prisoners with such offences will not be housed in the same unit of the cottage. If a safe environment cannot be provided, the Superintendent may decline a request for the child to be accommodated with the caregiver in the AMC.

### Compliance with 'Kidsafe' and 'Safebaby' Standards

Where practicable, the Superintendent will strive to comply with Australian Kidsafe Standards and Safebaby Codes to provide a safe environment.

### Transportation of Children

The non-resident temporary carer, as nominated by the caregiver, will be responsible for transporting the child to and from the prison as required. ACTCS staff will not be responsible for transporting children.

### Medical Emergencies

In an emergency during Corrections Health hours an on-site nurse will attend to the child. In an emergency outside these hours, the on-call doctor will be contacted and/or the child will be sent to the nearest emergency care hospital by an ambulance. Where a child is hospitalised and it is considered the caregiver cannot attend the hospital to be with the child, the alternate carer (carer who is not a co-resident carer) should be advised to ensure they provide comfort and support to the hospitalised child. Where possible, the caregiver should be allowed as much contact with the child as practicable.

### Death of Child

The death of the caregiver's child while residing at the AMC will need to be lawfully confirmed and the activities will be carried out within the law and with respect for the spiritual, ritual, religious and cultural beliefs of the caregiver. The steps will need to be undertaken in accordance with the *Managing Death of a Child* procedure.

### **Governance – Parenting and Children's Committee**

All applications for caregiver arrangements will be referred to, and considered by, the PCC.

The PCC has responsibility for deliberating the merits of the proposed caregiver arrangements and making a final recommendation regarding the suitability of an applicant. All members of the PCC must provide input prior to making a final recommendation.

The standing membership of the PCC is as follows:

- Senior Advocate or Principal Advocate, Children and Young People, the Public Advocate (PA) of the ACT;
- Principal Psychologist, Office for Children Youth and Family Support;
- Community Paediatrician, ACT Health;
- Clinical Nurse Consultant, Corrections Health Program;
- Offender Services Manager, ACTCS; and
- Other people as deemed necessary.

The PCC will be chaired by the Offender Services Manager with meetings to be called as required and monthly, at a minimum, when a child resides at the AMC.

The following reports will be required by the PCC to assess a *Women and Children Program* application:

- an ACTCS Case Manager's assessment of the caregiver's suitability for the *Women and Children Program*;



- reports of any previous engagement of the child with either Care Protection (CP) and/or Child Family Centres (CFC) (OCYFS);
- a health assessment of the child (Child, Youth and Women's Health Program – CYWHP);
- an expert assessment of the child's best social, emotional and environmental interests (professional assessor).

The PCC will consider this evidence and will form a recommendation for consideration by the Superintendent of the AMC.

Where either the caregiver or child is Indigenous, the OCYFS Aboriginal and Torres Strait Islander Unit may participate in the PCC with the prospective caregiver's consent. Standing OCYFS representation may alternate between representatives of CP and CFC, depending on previous engagement with the family.

The PCC will discuss appropriate transitional planning for the child in accordance with operational policies of the AMC to ensure the best possible and least disruptive separation of the child from the caregiver takes place prior to the child reaching pre-school age (four years).

## **Responsibilities**

### **Responsibility of Caregiver**

The caregiver may apply to participate in the *Women and Children Program* at any time following their remand or imprisonment or whilst on bail. Pregnant women who wish to have their child reside with them at the AMC are required to apply to participate in the *Women and Children Program*, as the assessment process regarding suitability must be conducted.

In requesting caregiver arrangements for their child at the AMC, the caregiver must advise whether the arrangements are for full-time, part-time or short-term care.

The caregiver must provide, or agree to the provision of, all relevant documentation relating to the family's engagement with health and welfare related services and agencies.

The caregiver must agree to engage in the development of a rehabilitation plan and care plan, in collaboration with their Case Manager that will include their participation in the *Women and Children Program*.

The caregiver must nominate at least two appropriate and responsible temporary carers who are not co-residents in the prison. The caregiver must also nominate an additional appropriate co-resident carer, where possible.

### **Responsibility of Temporary Carers**

#### **Co-resident Carer**

The nominated temporary co-resident carer will be required to provide temporary care to the child in circumstances where the caregiver is either participating in a program

or is unable to care for their child due to her own ill health. It is expected that an appropriate co-resident carer will care for the child only on a short-term basis, usually up to an hour. The length of absence will depend on the age of the child. If a primary caregiver needs to be absent from her child on a long term basis, a non-co resident carer will need to be contacted to care for the child.

#### Non Resident Carers

The nominated non resident carers may be required to remove the child from the prison to attend to events in the community, for example, playgroup. The temporary carers may also be required to remove the child from the AMC if they have contracted a contagious disease.

In circumstances where the first nominated temporary carer cannot be contacted, attempts will be made to contact the second nominated temporary carer.

If no other temporary carer has been identified and the child needs to be temporarily removed from the AMC, OCYFS will be contacted to place the child in a temporary care arrangement. Refusal to nominate at least two appropriate and responsible temporary carers may result in the application being denied.

#### Responsibility of ACTCS

ACTCS will be responsible for liaising with and engaging collaborating agencies, including the PA of the ACT, OCYFS, ACT Health and Corrections Health.

ACTCS will monitor the assessment process and participation in the program where approval has been granted.

ACTCS will be responsible for undertaking the following responsibilities:

- ensure that the AMC has provisions in place for caregivers to participate in the *Women and Children Program* in full-time, part-time or short-term capacity including space, facilities and other operational matters (Offender Services Manager through Superintendent);
- engage an appropriate professional assessor to determine whether the proposed placement of a child with their detained caregiver is in the best interests of the child (Offender Services Manager);
- advise the PA of the ACT of the caregiver's application for participation in the *Women and Children Program* so that consideration is given to appointing an advocate for the child (Offender Services Manager);
- notify OCYFS and ACT Health of the caregiver's application for participation in the *Women and Children Program*, and seek their advice, access to information records and expertise (Offender Services Manager);
- attend training conducted by OCYFS about the reporting of suspected abuse and neglect of children and pre-natal reporting;
- chair the PCC (Offender Services Manager);

- provide secretariat support to the PCC (Classification & Case Management Coordinator);
- ensure that the eligibility criteria for participation in the *Women and Children Program*, at Appendix A, are adhered to in the deliberations of the PCC (Offender Services Manager);
- ensure that a risk assessment is undertaken in consultation with the standing membership of the PCC (Offender Services Manager through PCC);
- monitor implementation of recommendations from the PCC including development of care plans, where approval has been granted to participate in the program (Offender Services Manager);
- make reports to the OCYFS about the suspected abuse and neglect of children in accordance with sections 354 and 356 of the *Children and Young People Act 2008*;
- make pre-natal reports to the OCYFS about suspicions that an unborn child may be in need of care and protection, in accordance with section 362 of the *Children and Young People Act 2008*;
- facilitate case planning and coordination for children who reside at AMC, including joint planning with the OCYFS in circumstances where care and protection has ongoing involvement with the child (in these circumstances, relevant staff will be declared as part of the child's care team, for the purpose of sharing information under the *Children and Young People Act 2008*);
- provide and facilitate an appropriate environment for the child while residing at the AMC;
- make provision for the case management of the child whilst placed at the AMC;
- arrange for the caregiver to receive advice regarding her eligibility for Centrelink payments while participating in the AMC *Women and Children Program* (Case Manager);

The Superintendent of the AMC, as the delegate of the CEO, JACS, will make the final decision to either approve or deny an application to have a child reside with their primary caregiver at the AMC. The Superintendent's decision will take into account the recommendations of the PCC and amongst other things the operational requirements of the AMC.

The Superintendent will be responsible for monitoring and reviewing each arrangement where a child has been granted approval to reside with their caregiver at the AMC. The Superintendent may remove a child from placement within the AMC at any time.

### **Responsibility of the Public Advocate of the ACT**

Upon being advised by the AMC Offender Services Manager that a caregiver has made an application to the PCC to participate in the *Women and Children Program*, the PA of the ACT will:

- will appoint an advocate to focus on independent advocacy in promoting and protecting the rights and best interests of the child throughout the assessment process and when a child is residing in the AMC;
- inform the child of what is happening, (depending on age and ability of the child to understand); and
- participate in PCC meetings.

### **Responsibility of the Office for Children, Youth and Family Support (OCYFS)**

Upon being advised by the AMC Offender Services Manager that a caregiver has made an application to the PCC to participate in the *Women and Children Program*, the OCYFS will:

- provide relevant information collected under the *Children and Young People Act 2008* to ACTCS staff (or their nominated assessor) that is necessary to assess whether the proposed placement of a child with their detained female primary caregiver at the AMC is in the best interests of the child;
- participate as required on the Parenting and Children's Committee to make recommendations to the Superintendent, AMC (or a delegate of the Chief Executive, JACS) about the suitability of placing a child at AMC with their detained female primary caregiver. This will include representation by the Child and Family Centre and for Aboriginal and Torres Strait Islander children, the Aboriginal and Torres Strait Islander Unit. It may also include representation by the Care and Protection Group in circumstances where care and protection has had significant involvement with the child or the detainee;
- respond to reports by ACTCS staff and others about the suspected abuse and neglect of children in accordance with section 360 of the *Children and Young People Act 2008*;
- respond to pre-natal reports by ACTCS staff and others who suspect that an unborn child may be in need of care and protection, in accordance with section 362 of the *Children and Young People Act 2008*;
- provide training to ACTCS staff and others who may work with children at AMC about the reporting of suspected abuse and neglect of children and pre-natal reporting;
- provide advice on AMC policies and individual agreements regarding the responsibilities of detained female primary caregivers in caring for their children at AMC;

- participate in joint case planning with ACTCS staff for the child where care and protection has ongoing involvement with the child; and
- provide information to facilitate access to services that support detainees in their caregiver role and/or support the child's physical, developmental, social and health needs.

### **Responsibility of ACT Health**

ACT Health will have ongoing responsibility to:

- provide antenatal and postnatal care;
- provide maternal and child health support to women;
- monitor the growth development including health, nutrition and hygiene of children residing in the AMC; and
- participate in PCC meetings by providing expert advice on parenting and the health needs of the child and report on the history and health status of the child.

### **Process**

A caregiver will apply to participate in the AMC *Women and Children Program* by completing the *Application to Participate in the Women and Children Program* form with the assistance of a designated ACTCS Case Manager.

The Superintendent will make an initial assessment of every application and determine to either support or decline the application. For every application the Superintendent will also need to undertake a risk assessment of all co-resident prisoners in accordance with the *Women and Children's Program Procedure*. The Superintendent may decline an application for one or more of the following reasons:

- the applicant has a history of sex offences or offences relating to child abuse;
- the AMC does not have space to accommodate children;
- the applicant fails to nominate two non co-resident temporary carers;
- the applicant currently displays suicidal behaviour;
- the applicant is displaying violent behaviour;
- the applicant is regularly testing positive to prohibited drugs;
- custody of the applicant may be put at risk;
- a risk assessment of co-residents does not allow for the child to be safely accommodated with their primary caregiver; and
- any other relevant reasons.

If the Superintendent declines the application, the applicant will have the right to appeal the decision. The review will be undertaken by the Deputy Executive Director, ACTCS.

If the application is supported by the Superintendent, the Offenders Services Manager will inform all collaborating stakeholders that an application has been made and seek their advice and access to information, records and expertise.

The Offender Services Manager will ensure that a professional assessment is conducted to determine the best interests of the child regarding their possible placement at the AMC with the caregiver. A professional assessor will be engaged to:

- assess the suitability of the placement by making an expert assessment of the child's best social, emotional and environmental interests;
- identify the needs of the child taking into account any views or wishes of the child if they are old enough to articulate them; and
- develop a report providing recommendations on the suitability of the placement and identifying the level of support required if they are to be placed at the AMC.

The findings of the assessor's report will provide fundamental evidence for determining whether the placement should be supported by the PCC.

The Offender Services Manager will convene a meeting of the PCC to consider:

- an ACTCS case manager's assessment of the caregiver's suitability for the *Women and Children Program*;
- reports of any prior engagement of the child with either CP and/or CFCs (OCYFS);
- a health assessment of the child (CYWHP);
- an expert assessment of the child's best social, emotional and environmental interests (professional assessor); and
- the Risk Register.

In addition, specialist reports provided by the Aboriginal and Torres Strait Islander Unit of the OCYFS, may be required in relation to Indigenous clients.

The PCC will review the relevant documentation and determine whether a recommendation should be made to support the caregiver's application for participation in the *Women and Children Program*.

The outcomes of the PCC meeting will be submitted to the Superintendent of the AMC, as the delegate of the CEO, JACS who will make the final decision on the application, taking into account the PCC's reasons for their decision and relevant operational factors.

Where approval of the application is made, relevant caregiver arrangements will be reflected in the caregiver's care plan.

In the event the application to participate in the program is denied, the caregiver will have the opportunity to seek a review of the decision made by the Superintendent in accordance with the *Administrative Decisions (Judicial Review) Act 1989*. The review will be undertaken by the Deputy Executive Director, ACTCS.

The eligibility criteria against which a decision must be made is at [Appendix A](#). The decision regarding participation in the program will be made generally within 28 days from the date the application is submitted to the delegate. A summary of the process is found at [Appendix B](#).

### Urgent Admissions

A decision regarding an urgent admission of a child to the prison will be made by the Superintendent. The Superintendent will need to take into account the following:

- the criteria outlined under Program Eligibility on pages 4 and 5;
- the initial assessment criteria under Process on pages 12 and 13 (the need to nominate two non co-resident temporary carers will not be required initially provided a temporary carer can be arranged until a decision to urgently admit a child is made);
- whether the child is breastfed and if the child has intolerance to formula milk;
- the ability to isolate the baby with the primary caregiver at the AMC until a health assessment is conducted by ACT Health staff;
- information from OCYFS that is necessary to assess whether the proposed placement is in the best interests of the child;
- whether there are any other temporary carers available in the community until the PCC can make a decision regarding the urgent admission; any
- any other relevant reasons.

Once a decision is made regarding an urgent admission, the primary caregiver is still required to undergo the standard application process.

### Monitoring and Evaluation

The PCC will continue to monitor the suitability of the child's placement at the AMC until the expiry of the period of remand/custodial sentence or until the child is placed in alternative care. It is envisaged that the PCC will meet monthly, at a minimum, when a child resides at the AMC.

The Superintendent will oversee the implementation and monitoring of caregiver arrangements for each resident child in accordance with the care plan. The program will be evaluated every two years commencing from the date of the first child being accommodated at the AMC.

### Release Plans

The PCC will develop a release plan no later than three months prior to releasing the primary caregiver from custody or the child reaching the age of four. The release plan must address at least the following:

- that OCYFS have been contacted and aware of the imminent release;

- if the child is to reside with the primary caregiver on release (any information from OCYFS will be required to support this decision);
- accommodation arrangements for primary caregiver and child;
- program of overnight and extended day visits with proposed carer in the community if the primary caregiver and child are to be separated;
- income support for primary caregiver;
- employment, vocational and counselling programs for primary caregiver;
- childcare options;
- engagement of a child health nurse with the primary caregiver in the area where she will reside; and
- the identification of any other community support agencies that may need to be engaged.

If a child turns four and is to be cared for in the community, and the primary caregiver is to remain in the AMC, a schedule that facilitates contact will need to be implemented.

### **ACTCS Records Management**

Information collected by ACTCS staff (and their nominated assessors) under this policy is to be stored and disposed of in accordance with the *Territory Records Act 2002*. In the event a child, who participated in the *Women and Children Program*, wishes to obtain records relating to them in the future, access will be granted in accordance with the *Freedom of Information Act 1989*. Personal information will be managed in accordance with the principles contained in the *Privacy Act 1988*.

### **Forms/Templates**

Women and Children Application Form  
 Assessment Report for Professional Assessor  
 Care Plan  
 Risk Assessment Form  
 Temporary Carer Obligation Statement

### **Related policies and procedures**

Private Family Visits Policy  
 Women and Children Program Procedure  
 Managing Death of Child Procedure



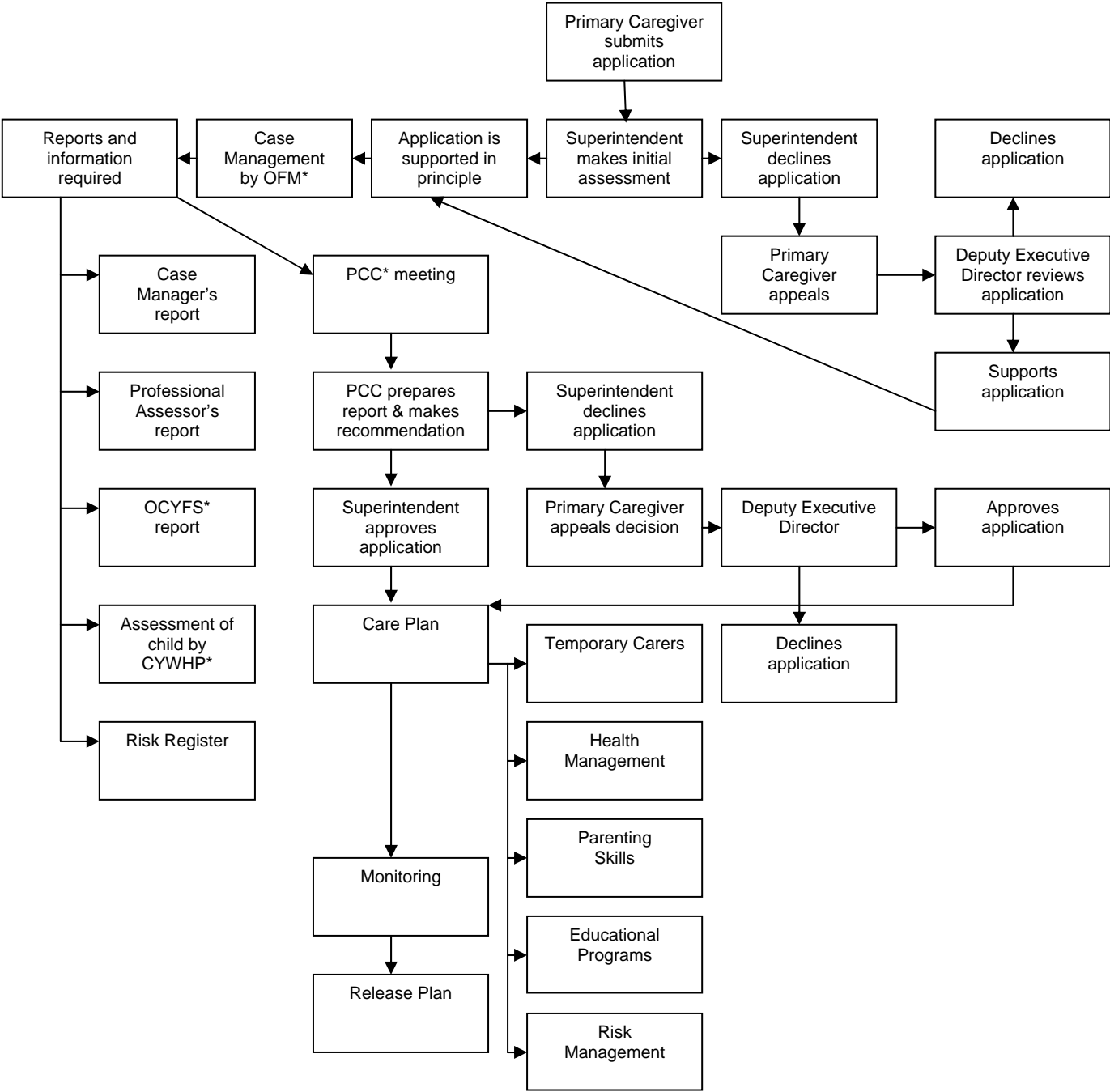
## Eligibility Criteria

The final decision to approve placement for a caregiver's child at the AMC, as per their request, lies with the Superintendent as the delegate of the Chief Executive Officer, Department of Justice and Community Safety.

The eligibility criteria for placement of a caregiver's child in full-time, part-time or short-term care are as follows:

- an appropriate place is available in the AMC for the caregiver and child;
- the female prisoner is identified as the carer for the child prior to their placement at the AMC;
- the caregiver has legal custody/responsibility of the child;
- the child is aged between newborn to preschool age (0-4 year);
- the child is immunised according to the standard immunisation requirements;
- there is no demonstrated inability on the part of the caregiver to provide satisfactory care for her child such as mental disability or dysfunction and or physical disability. Drug use and/or violent behaviour will also be considered. The nature and severity of these issues will be assessed to determine whether the caregiver is able to provide appropriate and satisfactory care;
- an assessment of the suitability of the caregiver and the best interests of the child has been made;
- the placement is supported by the Parenting and Children's Committee;
- the Superintendent must be satisfied that the parent can adhere to her rehabilitation plan (for example attending therapeutic/rehabilitation programs) prior to allowing a placement;
- there is no risk to child from other prisoners; and
- additional criteria may also be taken into consideration including, but not limited to:
  - the possibility of continuous and stable care being provided by another suitable adult or family member (the caregiver's partner, parent/s, close relatives or friends) in the community;
  - the behaviour, health and emotional state of the child;
  - sibling integrity; and
  - the possibility of maintaining the child's significant relationships.

# Process Flowchart Women and Children program



\* CYWHP – Child, Youth and Women’s Health Program  
 OFM – Offender Services Manager  
 OCYFS – Office for Children, Youth and Family Support  
 PCC – Parenting and Children’s Committee