

Corrections Management (Smoking) Policy 2019

Notifiable instrument NI2019-487

made under the

Corrections Management Act 2007, s14 (Corrections policies and operating procedures)

1 Name of instrument

This instrument is the *Corrections Management (Smoking) Policy 2019*.

2 Commencement

This instrument commences on the day after its notification day.

3 Policy

I make this policy to facilitate the effective and efficient management of correctional services.

4 Revocation

This policy revokes the *Corrections Management (Smoking) Policy 2018* [NI2018-121].



Jon Peach
Executive Director
ACT Corrective Services
29 July 2019

SMOKING

POLICY NO. D27

ACT CORRECTIVE SERVICES



ACT
Government

Justice and Community Safety

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1 PURPOSE

ACT Corrective Services (ACTCS) is committed to minimising the risk of passive smoking by detainees, staff and visitors to a correctional centre by limiting the areas in which smoking is permitted. Detainees and staff are encouraged to access health support for smoking cessation to reduce the health risks associated with smoking products.

This policy provides instructions on limiting the areas in a correctional centre in which smoking is permitted.

2 SCOPE

This policy applies to all correctional centres in the ACT.

Where required, the General Manager Custodial Operations will establish operational procedures under this policy.

3 DEFINITIONS

Enclosed space

As defined in the *Smoke-Free Public Places Regulation 2005 (ACT)*.

Passive smoking

The involuntary inhalation of smoke from another person's smoking product.

Smoking product

As defined in the *Tobacco and Other Smoking Products Act 1927 (ACT)*. Excludes vaping devices.

4 PRINCIPLES

- 4.1 ACTCS recognises the health benefits of smoking cessation and encourages detainees and staff to reduce their use of smoking products to minimise the related harm.
- 4.2 Smoking is prohibited in enclosed spaces, vehicles and in all areas of a correctional centre that are not designated for smoking under section 5. An exception is made under section 5.3.

- 4.3 Detainees under the age of 18 years are prohibited from consuming smoking products.
- 4.4 Detainees and staff are responsible for ensuring that their used smoking products are disposed of in a waste bin and that designated smoking areas are kept clean and tidy.
- 4.5 ACTCS encourages the use of smoking cessation support services by staff and detainees.
- 4.6 Detainees have access to nicotine replacement therapy from Justice Health Services.

5 DESIGNATED SMOKING AREAS

- 5.1 The General Manager Custodial Operations (GMCO) will designate smoking areas for detainees and staff in a correctional centre that are not within four (4) metres of:
 - a. an enclosed space; or
 - b. a doorway, window, or covered walkway (*Annex A: AMC Smoking Areas*).
- 5.2 Appropriate signage and markings will be maintained to identify areas that have been designated for smoking.
- 5.3 Detainees accommodated in the Crisis Support Unit only are allowed to smoke in their cells (*Management of At-Risk Detainees Policy*).
- 5.4 Detainees and staff must not move outside of a designated smoking area while smoking.

6 DETAINEE SMOKING

- 6.1 Detainees who smoke will be identified on admission to a correctional centre (*D22.F1: Initial Assessment*).
- 6.2 Detainees who smoke in areas where smoking is prohibited may be managed under the *Incentives and Earned Privileges Policy* or *Discipline Policy*.

Advances for smoking products

- 6.3 A monetary advance may be provided to detainees to enable the purchase of smoking products:
 - a. on admission to a correctional centre; or
 - b. on the request of a detainee; and

- c. where the Deputy General Manager Custodial Operations has approved the advance for exceptional circumstances and recorded on the detainee's electronic record system.
- 6.4 Detainees must complete a D27.F1: Supplementary tobacco purchase form to receive the advance in section 6.3.
- 6.5 A D27.F1: Supplementary tobacco purchase form will not be provided to detainees who are due to be released within 24 hours.
- 6.6 Detainees managed under the Management of At-Risk Detainees Policy may have their access to smoking products rationed in consultation with the detainee and Justice Health Services.

7 STAFF SMOKING

- 7.1 Staff, including contracted service providers, are only permitted to smoke in designated staff smoking areas under section 5.
- 7.2 Staff must not provide smoking products to detainees (Ethical Conduct and Dress Standards Policy).
- 7.3 Staff members who wish to reduce their consumption of smoking products are encouraged to access available supports, including discussing with their pharmacist.

8 RELATED DOCUMENTS

- A – Annex A: AMC Smoking Areas
- B – D27.F1: Supplementary Tobacco Purchase Form
- C – Management of At-Risk Detainees Policy
- D – Incentives and Earned Privileges Policy
- E – Discipline Policy
- F – Detainee Trust Fund Management Policy
- G – Ethical Conduct and Dress Standards Policy



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ACT Corrective Services
29 July 2019

Document details

Criteria	Details
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Responsible officer:	General Manager Custodial Operations

Version Control			
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