

Corrections Management (Collection, Disposal and Postage) Operating Procedure 2022

Notifiable instrument NI2022–219

made under the

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

1 Name of instrument

This instrument is the *Corrections Management (Collection, Disposal and Postage) Operating Procedure 2022*.

2 Commencement

This instrument commences on the 1st September 2022.

3 Operating Procedure

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

4 Revocation

This policy revokes the previously notified *Corrections Management (Prisoner Property) Operating Procedure [Restricted] 2007*

Ray Johnson APM
Commissioner
ACT Corrective Services
22 April 2022



OPERATING PROCEDURE	Detainee Property – Collection, Disposal and postage
OPERATING PROCEDURE NO.	
SCOPE	Alexander Maconochie Centre

STATEMENT OF PURPOSE

To provide instructions to staff on the protocols around the collection, disposal and postage of detainee property.

PROCEDURES

1. Methods of Disposal

- 1.1 A detainee may be required to reduce the amount of their personal property on site at AMC.
- 1.2 The Admissions Supervisor must notify a detainee in writing when their stored property has exceeded the storage allocation. The Detainee must arrange for the property to be collected, disposed of or posted within four (4) weeks of notification.
- 1.3 Methods of disposal include:
 - collection of property by a community member
 - postage at the detainee's cost
 - disposal of property

2. Collection of Property by a Member of the Community

- 2.1 At any time a detainee may request to have their property picked up by a community member on a Detainee Request Form. Detainee requests forms must be reviewed by a CO1 and a CO2 before approval by a CO3 Area Supervisor.
- 2.2 If the request is denied, reasons must be provided on the original request form and returned to the detainee for acknowledgement. The form must be filed in the detainee's file.
- 2.3 If approved the Detainee Request Form must be sent to Admissions via the Admissions pigeonhole.
- 2.4 The Admissions Officer must action the request within fourteen (14) days. During this time, the property must remain either in the possession of the detainee (if it is in-possession property) or remain in the detainee's property bin within Admissions (if it is stored property).
- 2.5 Once requested, Area Supervisors must take the item to Admissions, and complete a D9.F3: Property Receipt. The Admissions Officer must then take the item to the Gatehouse Reception for collection by the member of the community.
- 2.6 On collection the community member is required to sign the D9.F3: Property Receipt. The Gate Officer must amend the detainee's property sheet reflecting the property being signed out and upload all documents to the detainee's electronic record.
- 2.7 Detainee property must not be signed out to ACTCS staff or service providers unless written authorisation is provided by the General Manager (GM).

- 2.8 Items that have been lawfully manufactured by a detainee, such as an artwork, may not be handed out to another person without a record of the item first being made on the property sheet.
- 3. Postage of Property to a Community Member**
- 3.2 The Detainee may elect to have their property posted to someone at their own expense. The detainee must complete a Detainee Request Form and Detainee Request Form – Finance. The Detainee Request Form must clearly state the name, address and phone number of the intended recipient and clearly list the items to be posted.
- 3.3 Unit officers must cross reference the name of the intended recipient to the No Contact Register to ensure they are not listed. If there is no listing, the officer must make contact with the intended recipient via the phone number provided to confirm their address and that they are willing to receive the items.
- 3.4 Unit officers must note the conversation with the community member on the Detainee Request Form and the detainee’s electronic record. If the Unit CO2 agrees to the Detainee Request Form and Detainee Request Form – Finance must be given to the Area Manager for review.
- 3.5 The Area Manager must advise the detainee in writing – including reasons – if they do not approve the request.
- 3.6 If approved, the Detainee Request Form and Detainee Request Form – Finance must be given to the detainee. A copy of the Detainee Request Form must also be sent to Admissions to action.
- 3.7 The Admissions Officer must audit the items listed on the detainee’s request form. The Admissions Officer must place the items in a registered mail bag and provide to AMC Executive Support to mail. The admissions officer will generate a case note of the action taken on the detainee’s electronic record.
- 3.8 The Admissions Officer must action the request within fourteen (14) days, or as soon as practical if they are awaiting a registered mail bag to be provided by finance.
- 3.9 The Admissions Officer must amend the detainee’s property sheet to record the property that has been mailed out to the community member.
- 4. Disposal of Unclaimed and Uncollected Property**
- 4.1 Detainees must collect their property from the AMC within three (3) months of discharge from custody.
- 4.2 If a detainee fails to collect their property within the timeframe, the Admissions Supervisor must send a notice in writing to the last known address of the detainee, advising them that their “property has been placed in management of the General Manager Custodial Operations, and will be handled in accordance with the Uncollected Goods Act 1996.”
- 4.3 The GM must arrange for the property to be disposed of. Unclaimed or uncollected property must be collected from Admissions by Stores staff.
- 4.4 Stores staff must take the property to be disposed of as per the GM’s instruction (including disposal at a charity organisation or community waste centre).

5. Release of Property Following the Death of a Detainee

- 5.1 Detainee property – both in-possession and stored property – must not be moved, stored, disposed of, or interfered with until the investigating police have authorised its removal or management.
- 5.2 The GM is responsible for authorising the release of property to the detainee's next of kin.
- 5.3 The Admissions Officer must compile a list of the detainee's property, including property from the cell and property locker.
- 5.4 All property must be collated with a D9.F3 Property Receipt attached to it.
- 5.5 Where property is required for an ACT Policing investigation, arrangements must be made for ACT Policing to collect the property. The ACT Policing officer attending to collect the property must sign a D9.F3 Property Receipt.
- 5.6 Where the detainee's next of kin is collecting the property, they must sign a D9.F3 Property Receipt.
- 5.7 Once the property has been collected by either next of kin or ACT Policing, the property list must be placed in the detainee's file as evidence of collection of property and uploaded to their electronic file.

6. Disposal of Property

- 6.1 The disposal of a detainee's property must be approved by the GM.
- 6.2 Property that may be considered for disposal includes, but is not limited to:
 - any property considered hazardous
 - consumable items upon admission such as used toiletries
 - prohibited things that are likely to jeopardise the good order and security of the correctional centre, or the safety of a person
 - racist or offensive literature or iconography (includes, pornography, the sponsorship of terrorism, anti-social views and hatred) discovered in possession in cell
 - any items clearly damaged beyond repair.
- 6.3 The reasons for the destruction of a detainee's property shall be clearly recorded on the Detainee's property sheet and electronic record.
- 6.4 Where an item is being disposed of two (2) officers must be present. The officer must note who is present and the item being disposed of on the detainee's electronic record. Stores staff must collect the property from Admissions and dispose of it at the community waste disposal centre. General use bins within the centre must not be used to dispose of any detainee's property.
- 6.5 Electrical items such as:
 - mobile phones
 - USB Devices
 - hard drives
 - smart watchesare likely to hold personal data of a detainee. Any unclaimed electronic items suspected of containing data will be disposed of by officers in the secure disposal unit located in the secure storeroom.

RELATED DOCUMENTS AND FORMS

- Detainee Property Policy
- D9.F3 Property Receipt
- Detainee Request Form
- Detainee Request Form – Finance

Corinne Justason
Deputy Commissioner Custodial Operations
ACT Corrective Services
25 February 2022

Document details

Criteria	Details
Document title:	<i>Corrections Management (Detainee Property – Collection, Disposal and Postage) Operating Procedure 2022</i>
Document owner/approver:	Deputy Commissioner Custodial Operations, ACT Corrective Services
Date effective:	The day after the notification date
Review date:	3 years after the notification date
Responsible Officer:	Senior Director Operations
Compliance:	This operating procedure reflects the requirements of the <i>Corrections Management (Policy Framework) Policy 2021</i>

Version Control			
Version no.	Date	Description	Author
V1	May-20	First Issued	T Rust
V2	December-21	First Revision	J Papadopoulos