

Australian Capital Territory

Corrections Management (Initial Security Classification) Operating Procedure 2023

Notifiable instrument NI2023–179

made under the

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

1 Name of instrument

This instrument is the *Corrections Management (Initial Security Classification) Operating Procedure 2023*.

2 Commencement

This instrument commences on the day after its notification day.

3 Operating Procedure

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

4 Revocation

This instrument revokes *Corrections Management (Initial Security Classification) Operating Procedure 2022 (No 2)* [NI2022-395].

Ray Johnson ^{APM}
Commissioner
ACT Corrective Services
30 March 2023



OPERATING PROCEDURE	Initial Security Classification
OPERATING PROCEDURE NO.	D18.1
SCOPE	Alexander Maconochie Centre (AMC)

PURPOSE

To provide instructions to staff that administer the *Initial Detainee Security Classification Assessment* for detainees in the custody of ACT Corrective Services.

Classification is the categorisation of detainees according to the minimum security conditions appropriate to manage any risks of escape, security and good order in a correctional centre and public safety risks.

PROCEDURES

1. Initial Detainee Security Classification Assessment

- 1.1 The *Initial Detainee Security Classification Assessment* must be administered for all detainees during their induction period when they are first received into custody, and will be valid for six months from the approval date.
- 1.2 The Classification Coordinator must complete an *Initial Detainee Security Classification Assessment* for all detainees entering the AMC within 10 business days of admission.
- 1.3 Any detainee held in custody for less than 14 days does not require an initial classification assessment and will default to a Medium Security Classification.
- 1.4 The *Initial Detainee Security Classification Assessment* will be conducted utilising the *D18.F1: Initial Security Classification Tool*, supported with *Annex A: Initial Security Classification Checklist* (available at the back of this document).
- 1.5 The Classification Coordinator conducting the classification assessment must total the scores to ascertain the overall score and the corresponding security classification rating.
- 1.6 Where the total scores add up to a negative number, the Classification Coordinator must list the detainee's overall score as zero (0), and assign them the corresponding security classification rating of Minimum.
- 1.7 Where the total scores add up to a total number greater than fifteen (15) the classification officer must list the detainees overall score as fifteen (15) and assign them the corresponding security classification of Maximum.

2. Detainees who ordinarily must not be categorised as Minimum

- 2.1 The Classification Coordinator must advise the Director Sentence Administration when an initial classification assessment is being undertaken for a detainee sentenced for/remandee accused of an offence in the 'Highest Severity' category under *Annex A – Offence Severity Scale*, OR a detainee who is liable for consideration under section 501 of the *Migration Act 1958 (Cth)*

- 2.2 The Director Sentence Administration must not approve a detainee/remandee in the above category to be assigned a classification level below Medium, except for in exceptional circumstances.
- 2.3 If a detainee/remandee in the above category is approved to be classified at a Minimum level, the exceptional circumstances must be noted on the *D18.F1: Initial Security Classification Tool*.

3. Approval and Record Keeping

- 3.1 The Classification Coordinator must provide the *D18.F1: Initial Security Classification Tool* (along with records, documents and reports used to conduct the assessment) to the Director Sentence Administration for verification and approval.
- 3.2 The Director Sentence Administration must take into account the documentation provided by the Classification Coordinator AND any other relevant information when determining the final classification outcome for the detainee.
- 3.3 Where the Director Sentence Administration determines that the detainee should be classified at a level other than that indicated by the *D18.F1: Initial Security Classification Tool*, then they must document this clearly in writing and provide reasons.
- 3.4 The Classification Coordinator must ensure all documentation relevant to the security assessment process, including any direction to remove or apply a mandatory override, is uploaded onto the detainee's electronic file.

4. Notification of the Detainee Security Classification Assessment Outcomes

- 4.1 The Classification Coordinator must provide the detainee with the *D18.F2: Classification Notice* within two (2) business days of the finalisation of the *Initial Detainee Security Classification Assessment*. The *D18.F2: Classification Notice* must indicate the major factors contributing to the classification, and identify the next scheduled review date.
- 4.2 The Classification Coordinator must:
 - a. notify the Director Sentence Administration, Senior Director Offender Reintegration, Senior Director Accommodation and Director Offender Reintegration of any classification assessment results by email within two (2) business days of completion
 - b. update the detainee's electronic record to reflect the classification result, including a case note and uploading of the *D18.F1: Initial Security Classification Tool*
 - c. ensure details of specific information relevant to a mandatory override are case noted on the detainee's electronic file
 - d. maintain a register of all detainees' classification review dates
 - e. record a list of all documents, records and reports used to conduct the assessment
 - f. provide the Director Sentence Administration with a list of documents, records and reports used to conduct the assessment for approval of the *Detainee Security Classification Assessment*
 - g. confirm that the *D18.F2: Classification Notice* is received by the detainee within two (2) days of the assessment being approved by the Director Sentence Administration
 - h. ensure detainee classifications are reviewed at the required intervals.

5. Appeal of Classification decision

- 5.1 A detainee can appeal a classification outcome in writing within five (5) days of receiving the *D18.F2: Classification Notice*, either by submitting a detainee request form or via email to DetaineeClassification@act.gov.au.
- 5.2 The appeal request must include the reason for the appeal and any supporting evidence. Reasons for an appeal include:
 - a. inappropriate or inaccurate information was included in the assessment
 - b. pertinent information has not been applied to the assessment, including the detainee's current sentence and criminal history, any outstanding charges, criminal and custodial history, appeal status, liability for deportation, disciplinary history and other documents held on the detainee's record.
- 5.3 Upon receiving the request for appeal, the Classification Coordinator must forward the detainees appeal and the completed *D18.F1: Initial Security Classification Tool* to the Senior Director Offender Reintegration for review.
- 5.4 The Senior Director Offender Reintegration must review the package within five (5) business days of receipt and must consider whether:
 - a. inappropriate or inaccurate information was included in the assessment; and/or
 - b. pertinent information has not been applied to the assessment, including the detainee's current sentence and criminal history, any outstanding charges, criminal and custodial history, appeal status, liability for deportation, disciplinary history and other documents held on the detainee's record.
- 5.5 The Senior Director Offender Reintegration must determine whether to grant or deny the appeal.
- 5.6 The Senior Director Offender Reintegration must inform the detainee in writing of the outcome of the appeal, outlining the reasons.
- 5.7 Where an appeal request has been granted, the Classification Coordinator must reapply the classification assessment within three (3) business days of notification, with consideration given to information provided by the Senior Director Offender Reintegration.
- 5.8 Once this has been completed, the Classification Coordinator must repeat the steps set out in Section 4 of this Operating Procedure.

6. Related Documents

- Detainee Classification Policy 2022
- D18.F1: Initial Security Classification Tool
- D18.F2: Classification Notice
- D18.F3: Security Classification Review Tool
- Security Classification Review Operating Procedure 2022

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ACT Corrective Services
21 March 2023

Document details

Criteria	Details
Document title:	Initial Security Classification Operating Procedure 2023
Document owner/approver:	Assistant Commissioner Offender Reintegration, ACT Corrective Services
Date effective:	The day after the notification date
Review date:	Three years after the notification date
Compliance with law:	This operating procedure reflects the requirements of the <i>Corrections Management (Policy Framework) Policy 2021</i>
Responsible officer:	Director Sentence Administration

Version Control			
Version no.	Date	Description	Author
V1	December-21	First Draft	T Graham
V2	August-22	Ongoing Revision	J Papadopoulo
V3	March-23	Second Revision	K Heidke

Annex A: Initial Security Classification Checklist

Evaluation	Source of Information	Application
<p>1. Severity of Charge or Offence To be scored based on the most severe current charge or offence as per Annex A - Offence Severity Scale.</p>	<ul style="list-style-type: none"> - Offence Severity Scale - Statement of Facts - Remand Warrant 	<p>Utilising the source of information, determine the most severe current offence(s) / charge(s) for which the offender has been held in custody and apply the relevant rating.</p>
<p>2. Severity of Prior Adult Criminal Convictions To be scored based on the most severe prior conviction in the past 10 years, from date of assessment, as per Annex A - Offence Severity Scale</p>	<ul style="list-style-type: none"> - Offence Severity Scale - Criminal History <ul style="list-style-type: none"> o Must be dated within the past 12 months to be considered current. o May be obtained from AFP @ CriminalRecords@afp.gov.au if not already on file. 	<p>Utilising the source of information, determine the most severe recorded conviction on the detainees Criminal History over the past 10 years (as an adult offender) and apply the relevant rating.</p> <p>Where there are no prior convictions, score according to the rating.</p>
<p>3. History of Escape or Attempts to Escape Custody To be scored with consideration to attempts of escape from Juvenile and Adult correctional facilities, as well as from Police Custody or Escorts/Transport.</p>	<ul style="list-style-type: none"> - Criminal History <ul style="list-style-type: none"> o Must be dated within the past 12 months to be considered current. o May be obtained from AFP @ CriminalRecords@afp.gov.au if not already on file. 	<p>Utilising the source of information, determine if the detainee has been charged with any form of escape from custody and apply with relevant rating.</p>
<p>4. History of Violent or Threatening Behaviour in Custody, or recorded breach of any Community Supervision Order. To be scored in relation to the most serious documented incident in the last 10 years, from date of assessment.</p>	<ul style="list-style-type: none"> - Criminal History <ul style="list-style-type: none"> o Must be dated within the past 12 months to be considered current. o May be obtain from AFP @ CriminalRecords@afp.gov.au if not already on file. - ACTCS Offender Database 	<p>Utilising the source of information, determine if the detainee has:</p> <ul style="list-style-type: none"> a) Any convictions for a breach of community supervision order including Breach of Bail, Good Behaviour Order, Community Service Work Condition, Intensive Corrections Order, Drug & Alcohol Treatment Order or Revocation of Parole; or b) Any events of violence, threatening behaviours or involvement in a major disturbance whilst in custody reflected in Case Notes, Incident Reports or Disciplinary Action Reports,

		<p>including those referred and not referred to Police.</p> <p>Any indication of the above having occurred over the past 10 years (as an adult offender) need to be recorded with the relevant rating applied.</p>
<p>5. Number of prior adult convictions for serious offences, in line with Annex A - Offence Severity Scale</p> <p>To be scored through counting the number of serious offences the detainee has been previously convicted as an adult within the last 10 years from date of assessment, not including those related to the current custodial/remand period.</p> <p>Serious offences are those listed on Annex A - Offence Severity Scale and rated as Highest or High Severity.</p>	<ul style="list-style-type: none"> - Offence Severity Scale - Criminal History <ul style="list-style-type: none"> o Must be dated within the past 12 months to be considered current. o May be obtain from AFP @ CriminalRecords@afp.gov.au if not already on file. 	<p>Utilising the source of information, identify recorded convictions on the detainees Criminal History over the past 10 years (as an adult offender), that rate as Highest or High Severity on the Offence Severity Scale. Count the offences identified, not including the current matters (sentenced or remand) to give your total score.</p> <p>Apply the relevant rating.</p>
<p>6. Juvenile Criminal History</p> <p>To be scored where the offender has a history of offending as a juvenile.</p> <p>No incidents or convictions will be counted if they occurred when the offender was under the age of 16.</p>	<ul style="list-style-type: none"> - Criminal History <ul style="list-style-type: none"> o Must be dated within the past 12 months to be considered current. o May be obtain from AFP @ CriminalRecords@afp.gov.au if not already on file. 	<p>Utilising the source of information, identify any offences recorded as a juvenile. Only score where the offence was recorded when the offender was 16 years of age or above.</p>
<p>7. AOD History</p> <p>To be scored in relation to the detainee’s known or self-reported history of drug and/or alcohol use including both illegal and legal substances (petrol, glue, inhalants, etc), and including misuse of prescribed medications.</p>	<ul style="list-style-type: none"> - ACTCS Offender Database <ul style="list-style-type: none"> o Case Notes indicating offender/self-reported information o Pre Sentence Reports, including Intensive Correction Order Assessments, Drug & Alcohol Treatment Assessment o LSIR – Item 45 AOD use 	<p>Utilising the source of information, determine if the detainee has a history (past 12 months) of problematic drug use.</p> <p>Apply the relevant rating.</p>
<p>8. Stability Factors at Time of Arrest</p>	<ul style="list-style-type: none"> - ACTCS Offender Database <ul style="list-style-type: none"> o Case Notes 	<p>Utilising the source of information, determine if the detainee meets any of the identified stability factors at the time they were remanded in custody.</p>

	<ul style="list-style-type: none"> ○ Pre Sentence Reports, including Intensive Correction Order Assessments, Drug & Alcohol Treatment Assessment ○ LSIR 	These ratings are a negative rating and will deduct points from the overall score. The score for this section must not exceed a total of minus 4.
9. Current Age To be scored for the detainee's age at time of assessment.	- ACTCS Offender Database	Utilising the source of information, determine the offenders date of birth / age. Apply the relevant rating.
SCORE: Total of Values from 1 – 9	- Score Column of the <i>Initial Detainee Classification Assessment Form</i> .	Add scores from questions 1 to 9 to provide a total score.
Additional Information	Additional information may be used to reduce or increase a detainee's overall score, with the potential to adjust the security classification up or down. The decreasing and increasing factors have been identified as factors that may impact a detainee's level of risk to self, community, staff, or the security of the AMC.	
Decreasing Risk Factors		These rating attract a negative numerical score and may deduct one point from the overall score. The total score for this section (Decreasing Risk Factors) must not exceed a total of minus 4.
<ul style="list-style-type: none"> • Currently pregnant 	<ul style="list-style-type: none"> - Detainee self-report (follow up with confirmation from Justice Health Services) - ACTCS Offender Database <ul style="list-style-type: none"> ○ Medical report / Doctors Certificate ○ Justice Health ○ Case Notes ○ Sentence Reports, including Intensive Correction Order Assessments, Drug & Alcohol Treatment Assessment 	Utilising the sources of information, identify if the female detainee is currently pregnant, noting the expected due date. This rating attracts a negative numerical score and may deduct one point from the overall score.
<ul style="list-style-type: none"> • Physical disability and/or limited physical mobility 	<ul style="list-style-type: none"> - ACTCS Offender Database <ul style="list-style-type: none"> ○ Medical report / Doctors Certificate ○ Justice Health ○ Case Notes 	Utilising the sources of information, identify if detainee has a physical disability and/or limited physical mobility.

		This rating attracts a negative numerical score and may deduct one point from the overall score.
<ul style="list-style-type: none"> History of positive custodial behaviour 	<ul style="list-style-type: none"> ACTCS Offender Database <ul style="list-style-type: none"> Case Notes 	<p>Utilising the sources of information, identify if detainee has previously been in custody and maintained a record of positive / compliant custodial behaviour</p> <p>This rating attracts a negative numerical score and may deduct one point from the overall score.</p>
<ul style="list-style-type: none"> Confirmed accommodation post-release 	<ul style="list-style-type: none"> ACTCS Offender Database <ul style="list-style-type: none"> Case Notes Pre Sentence Reports, including Intensive Correction Order Assessments, Drug & Alcohol Treatment Assessment Pre Release Reports 	<p>Utilising the sources of information, identify if detainee has confirmed accommodation post release.</p> <p>This rating attracts a negative numerical score and may deduct one point from the overall score</p>
<p>Increasing Risk Factors To be scored a 1 for each relevant factor</p>		
<ul style="list-style-type: none"> Intel alert/reporting 	<ul style="list-style-type: none"> ACTCS Offender Database <ul style="list-style-type: none"> Case Notes ACTCS Intelligence Unit ACT Policing 	<p>Utilising the sources of information, identify any Intel or Policing concerns that may impact the detainee's risk to self or others whilst in custody. Please note the sensitivity of this information and the potential inability to share sensitive information provided.</p> <p>Apply the relevant rating.</p>
<ul style="list-style-type: none"> High media attention / Individual of significant public profile/notoriety 	<ul style="list-style-type: none"> ACTCS Offender Database <ul style="list-style-type: none"> Case Notes Media <ul style="list-style-type: none"> Canberra Times, Television News 	<p>Utilising the sources of information, determine if the detainee has attracted higher than usual media attention, holds significant public profile or notoriety in the public domain.</p> <p>Apply the relevant rating.</p>
<ul style="list-style-type: none"> Known OMCG/Gang affiliation 	<ul style="list-style-type: none"> ACTCS Offender Database <ul style="list-style-type: none"> Case Notes ACTCS Intelligence Unit 	<p>Utilising the sources of information, identify any OMCG or gang affiliations that may impact the detainee's risk to self or others whilst in custody.</p>

	<ul style="list-style-type: none"> - ACT Policing 	Apply the relevant rating.
<ul style="list-style-type: none"> • Extradition notice 	<ul style="list-style-type: none"> - ACTCS Offender Database <ul style="list-style-type: none"> ○ Case Notes 	<p>Utilising the sources of information, determine if the detainee is subject to extradition upon release.</p> <p>Apply the relevant rating.</p>
<ul style="list-style-type: none"> • Current Immigration Hold 	<ul style="list-style-type: none"> - ACTCS Offender Database <ul style="list-style-type: none"> ○ Case Notes - Department of Immigration s.xxx 	<p>Utilising the sources of information, determine if the detainee is subject to Immigration extradition upon release.</p> <p>Apply the relevant rating.</p>
<ul style="list-style-type: none"> • Outstanding warrant(s) 	<ul style="list-style-type: none"> - ACTCS Offender Database <ul style="list-style-type: none"> ○ Case Notes - ACT Law Courts 	<p>Utilising the sources of information, determine if the detainee has any outstanding warrants.</p> <p>Apply the relevant rating.</p>