

Corrections Management (Placement and Shared Cell) Policy 2023

Notifiable instrument NI2023–409

made under the

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

1 Name of instrument

This instrument is the Corrections Management (Placement and Shared Cell) Policy 2023.

2 Commencement

This instrument commences on the 7th August 2023.

3 Policy

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

4 Revocation

This instrument revokes Corrections Management (Placement and Shared Cell) Policy 2022 NI2022–506.

Bruno Aloisi
A/g Commissioner
ACT Corrective Services
30 June 2023

PLACEMENT & SHARED CELL POLICY

POLICY NO. D38

ACT CORRECTIVE SERVICES



ACT
Government

Justice and Community Safety

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1 PURPOSE

ACT Corrective Services (ACTCS) is committed to ensuring that the placement of detainees is undertaken with primary consideration of the safety, vulnerability and needs of individual detainees. Detainees are to be placed in the least restrictive environment appropriate to ensure safety, security, and good order in a correctional centre.

ACTCS is committed to ensuring that detainee safety is the primary consideration for accommodation placement decisions according to available information on risk factors relating to a detainee and their cell or room occupant.

This policy provides instructions on the management of detainee accommodation placements in a correctional centre.

2 SCOPE

This policy applies to all correctional centres in the ACT, except for the Court Transport Unit.

Where required, the Assistant Commissioner Custodial Operations may establish operational procedures under this policy.

3 DEFINITIONS

Cottage accommodation	Accommodation featuring individual pods with direct access to communal areas and shared facilities.
Placement	The housing of a detainee in an accommodation unit with due consideration of their security classification, risk and the safety of the detainee and other detainees.
Protection status	The status afforded to detainees who may be at risk from others due to the nature of their offending, or other factors creating a risk to the safety of the detainee. This may result in reasonable restrictions of a detainee's opportunity to go into, or remain in, parts of a correctional centre where necessary to ensure the safety of the detainee.

Shared cell	Any cell that can accommodate more than one (1) detainee.
Upper bunk	The top bed of a bunk bed, accessed by a ladder from the bottom bunk.

4 PRINCIPLES

- 4.1 Detainees are accommodated in accordance with their identified gender.
- 4.2 All detainees are managed in the least restrictive conditions appropriate to maintain community safety and to ensure the safety of the detainee and any other person.
- 4.3 Allocation to shared cells will consider the preferences of detainees, including the importance of family and kinship relationships.
- 4.4 Cell placement decisions are made by the Accommodation Area Supervisor (CO2) or above.
- 4.5 Cell placement decisions must consider Aboriginal and/or Torres Strait Islander or other cultural status and relevant cultural and kinship considerations. Advice may be sought from the Aboriginal and Torres Strait Islander Services Unit.
- 4.6 Cell placement decisions must consider any reasonable adjustments for people with disability or other additional needs.
- 4.7 Cell placement decisions must consider a detainee’s sentenced or remand status.
- 4.8 In most accommodation areas detainees will share a cell or room and/or common areas with other detainees. ACTCS must consider risks relevant to sharing cells or rooms and common areas in accommodation placement decisions.

5 ACCOMMODATION TYPES

- 5.1 The following types of accommodation units are available in ACT correctional centres:

Type	Characteristics	Criteria
Secure unit	Secure cells within a secure accommodation building confined within a secure perimeter	Any detainee

Cottage	Individual pods with direct access to communal areas and shared facilities	Any detainee except detainees with a maximum security classification
Transitional Release Centre	Open accommodation outside of the secure perimeter	In accordance with the <u>Transitional Release Policy</u>

5.2 Where necessary, detainees may be placed into temporary accommodation in accordance with:

- a. the Management of Segregation and Separate Confinement Policy; or
- b. the Detainees at Risk of Suicide or Self-harm Policy.

6 CELL PLACEMENT

Initial accommodation placement

- 6.1 As part of the admissions process, admissions staff must assess detainees for immediate placement risks and the possible need for protection status in accordance with the Placement and Shared Cell Operating Procedure.
- 6.2 Once a detainee has been assessed for placement risks, the Admissions Supervisor (CO2) must inform the relevant Area Manager (CO3) or above and recommend an appropriate accommodation placement for the detainee during induction.

Cell placement following induction

- 6.3 Following the admission process, most detainees will be placed in a designated induction unit for up to five (5) days while they adjust to being in custody. During this time, the Area Supervisor (CO2) must assess the detainee for placement in accordance with the Placement and Shared Cell Operating Procedure.
- 6.4 Any risks to the detainee or others from the detainee sharing a cell or room and other common areas must be considered as part of completing the D38.F1: Placement Assessment.
- 6.5 Information provided by Justice Health Services and Custodial Mental Health Services regarding a detainee's health and health care needs must be considered in placement decisions.
- 6.6 The Area Supervisor (CO2) must upload the completed D38.F1: Placement Assessment form to the detainee's electronic record and inform the Area Manager (CO3) of the decision.

- 6.7 Detainees must be allocated a cell or room by the relevant Area Supervisor (CO2) in accordance with the Placement and Shared Cell Operating Procedure.

7 CELL MOVEMENTS

- 7.1 Once a detainee has been placed following the approval of the placement decision in the D38.F1: Placement Assessment form, ACTCS officers may approve the detainee to move cells or rooms within their accommodation area in accordance with the Placement and Shared Cell Operating Procedure.
- 7.2 A formal risk assessment, including the completion of the D38.F1: Placement Assessment form, is not required for moves within their accommodation area.
- 7.3 Custodial officers (CO1) must review the detainee's D38.F1: Placement Assessment and record the decision to move the detainee in accordance with the Placement and Shared Cell Operating Procedure.
- 7.4 If the detainee will be moving into a shared cell with another detainee, the officer (CO1) must review the current D38.F1: Placement Assessment and electronic record of both detainees to assess the suitability of the shared cell placement.
- 7.5 If an Aboriginal and/or Torres Strait Islander detainee request to move cells or rooms, Aboriginal and/or Torres Strait Islander cultural status and kinship relationships must be considered.

8 CELL PLACEMENT REVIEWS

- 8.1 A detainee's placement must be reviewed when there is a significant change in risk in the detainee's circumstances in accordance with the Placement and Shared Cell Operating Procedure.
- 8.2 When undertaking a placement review, the Area Supervisor (CO2) must review the detainee's current D38.F1: Placement Assessment and electronic record.
- 8.3 Where the Area Supervisor (CO2) recommends that the detainee be moved to another accommodation area, the Area Supervisor (CO2) must liaise with the relevant Area Manager (CO3) to determine the accommodation placement.
- 8.4 Once the Area Supervisor makes a recommendation, they must inform the Area Manager.

9 PROTECTION STATUS

- 9.1 A detainee may be placed on protection status where there is specific information to suggest that there is a credible risk to the safety of the detainee.
- 9.2 Detainees may be placed on protection status by approval of the Area Manager (CO3) in accordance with the Placement and Shared Cell Operating Procedure.
- 9.3 Detainees may request protection status or request for their protection status to be removed in accordance with the Placement and Shared Cell Operating Procedure.

10 RECORDS

- 10.1 A copy of all records and decisions made under this policy must be stored on a detainee's electronic record.
- 10.2 All cell and room allocations, including but not limited to the date and time of allocation and removal, must be recorded on a detainee's electronic record.

11 RELATED DOCUMENTS

- D38.F1: Placement Assessment
- Placement and Shared Cell Operating Procedure
- Detainees at Risk of Suicide or Self-harm Policy
- Management of Segregation and Separate Confinement Policy
- Admission and Induction Policy

Bruno Aloisi
A/g Commissioner
ACT Corrective Services

Document details

Criteria	Details
Document title:	<i>Corrections Management (Placement and Shared Cell) Policy 2023</i>
Document owner/approver:	Commissioner, ACT Corrective Services
Date effective:	The day after the notification date
Review date:	Three years after the notification date

Criteria	Details
Compliance with law:	This policy reflects the requirements of the <i>Corrections Management (Policy Framework) Policy 2020</i>
Responsible officer:	Senior Director Accommodation

Version Control			
Version no.	Date	Description	Author
V1	June-19	First Issued	L Kazak
V2	September-22	First review	S Young
V3	June 2023	Minor amendments	M McKenzie