

# Standards for the Management of Women Prisoners in Victoria

Corrections Victoria

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For further information or additional copies, please contact:  
Strategic Communication Branch  
Department of Justice  
121 Exhibition Street, Melbourne, 3000  
Tel 03 8684 0300  
Also published on [www.justice.vic.gov.au](http://www.justice.vic.gov.au)

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## Introduction

The Standards for the Management of Women Prisoners in Victoria (the Standards) establish the minimum requirements for correctional services in Victorian prisons for women. The Standards provide the basis for ensuring accountability and a consistent level of service delivery across the system.

The purpose of correctional services is to enhance public safety and crime reduction through the effective management of prisoners. Corrections Victoria, within the Department of Justice, is responsible for the implementation of the correctional dispositions of courts and orders of the Adult Parole Board. It has a specific responsibility for:

- ◆ setting strategy, policy and standards, and administering contracts for the management of correctional facilities
- ◆ developing programs for the containment and rehabilitation of prisoners.

The operational management of public prisons and delivery of Community Correctional Services is the shared responsibility of Department of Justice regions and head office. Private prisons are managed by operators contracted by the department. Those persons responsible for managing prison services and supervising prisoners are to ensure that:

- ◆ the sentences and orders imposed by the courts are enforced
- ◆ prisoners are not further punished for their crimes over and above the sentences imposed by the courts.

## Background to this edition

The initial prison management standards were developed to support the introduction of privately operated prisons in Victoria and were published in 1995 (women) and 1996 (men).

A further edition of the standards was issued in 2011, reflecting two main changes to the administration of the prison system:

- ◆ the setting up of the Office of Correctional Services Review in 2007 with responsibility for monitoring the performance of correctional services in Victoria
- ◆ the move to a regional management model in 2009, which saw the regions take on the service delivery of Justice services.

This 2014 edition of the Standards continues to reflect the department's commitment to the provision of a safe, secure and humane correctional system. It incorporates further refinements arising from a review of the Correctional Management Standards for Men's Prisons in Victoria undertaken in connection with the Ravenhall Prison Project.

## Governance framework

Correctional services in Victoria are delivered within a framework that includes relevant legislation and regulations, strategic and operational policies and service delivery requirements. These Standards form part of this hierarchy of requirements and guidelines.

Figure 1: The framework that shapes the Victorian correctional services system

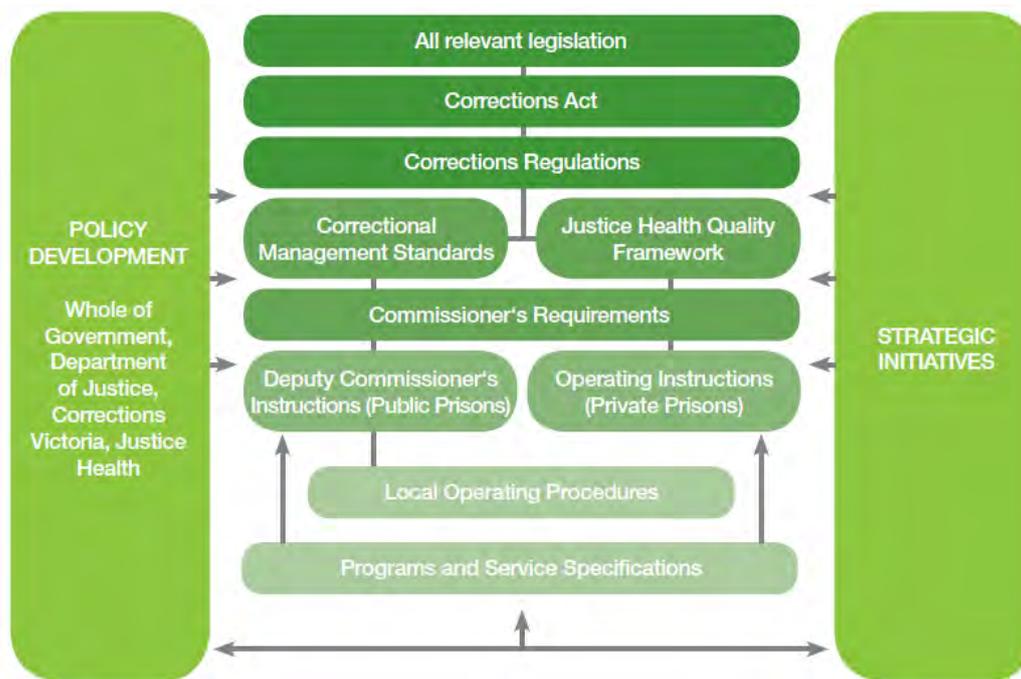


Table 1: Hierarchy of requirements and guidelines

Requirement or guideline	Description
<b>Legislation</b>	The <i>Corrections Act 1986</i> and the <i>Corrections Regulations 2009</i> provide the direct legislative basis for the delivery of adult correctional services in Victoria. The Standards reflect the requirements of the Act and Regulations. They have also been assessed for compatibility with the purpose and provisions of the <i>Victorian Charter of Human Rights and Responsibilities Act 2006</i> .
<b>National Standard Guidelines for Corrections in Australia</b>	The National Standard Guidelines for Corrections in Australia constitute outcomes or goals to be achieved by correctional services rather than a set of absolute standards or laws to be enforced. The guidelines were drafted to reflect the United Nations Standard Minimum Rules for the Treatment of Prisoners. Corrections Victoria is a signatory to the guidelines which are cross-referenced in the Standards.
<b>Correctional Management Standards for Prisons</b>	The Victorian Correctional Management Standards for Prisons focus on the outcomes and outputs to be achieved by public and private prison operators. They form the basis for the development of operating procedures. They also provide the performance measures against which prison services are monitored.
<b>Regional Service Delivery Arrangements</b>	The Regional Service Delivery Arrangements set out the roles, responsibilities and arrangements between head office and the regions for the delivery of justice services under the regional management model.
<b>Program and service specifications</b>	Specifications are developed for specific programs and services in order to ensure consistency and integrity of program delivery across the system. Examples include treatment program specifications for sex and violent offenders.
<b>Frameworks and action plans</b>	Corrections Victoria produces frameworks and action plans to ensure consistency and implementation of actions for specific purposes, for example the Disability Framework and the Cultural and Linguistic Diversity Action Plan.
<b>Service Delivery Outcomes</b>	Service Delivery Outcomes are a suite of delivery services measures, approved by the Commissioner, used to determine performance across the Victorian prison system.  Payment of performance linked fees to private prison contractors is based upon achievement of targets against performance indicators. Performance indicators include Service Delivery Outcomes (SDOs).
<b>Commissioner's Requirements</b>	Commissioner's Requirements are issued when specificity is required to ensure consistency and/or continuity of correctional practice across the whole prison system

Requirement or guideline	Description
	(i.e. public and private prisons). They are developed in consultation with prison management and operators.
<b>Prison operating procedures</b>	The standards are put into practice through procedures, which are specific to individual public prisons (Deputy Commissioner's Instructions) and individual private prisons (Operating Instructions).

## Format

This edition of the Standards has been divided into parts. Each part contains a service delivery group – or bundle.

Part A – Prisoner Management, includes overarching principles on the management of prisoners, as well as desired outcomes for particular groups of prisoners, such as remand prisoners, Aboriginal and Torres Strait Islander prisoners, prisoners with a disability, culturally and linguistically diverse prisoners as well as offenders subject to Detention Orders.

The remaining standards are arranged in parts:

- ◆ Part B – Safety and Security Services
- ◆ Part C – Program and Reintegration Services
- ◆ Part D – Health Services
- ◆ Part E – Prisoner Hospitality Services
- ◆ Part F – Prison Administration Services.

Table 2: *Format of each standard*

Heading	Description
<b>Outcome</b>	The overall service outcome or condition/s that must be achieved and maintained.
<b>Specified outputs</b>	The minimum requirements that must be met in order to achieve the required outcome/s.
<b>Performance indicators</b>	A list of the relevant Service Delivery Outcomes which relate to that standard.
<b>Policy requirements</b>	The specific strategic, policy, and procedural documents that <b>must</b> be complied with in order to achieve the Outcomes for that particular standard. For example, the Offender Management Framework, or the Sentence Management Manual.
<b>Legislation</b>	This refers to the most relevant legislation that must be complied with for each standard.
<b>References</b>	Whilst not mandatory, Victorian prisons for women will have regard to these documents. They are the most relevant high-level administrative sources, which are useful recourses, for example, the National Standard Guidelines for Corrections in Australia.

## Glossary

Table 3: *Glossary*

Term	Description
<b>Commissioner</b>	Commissioner, Corrections Victoria. This also includes 'or delegate'.
<b>Commissioner's information systems</b>	There are a number of IT systems which are used across the Victorian Correctional system. Prisons are required to train its staff in the use of these systems, as well as input data and update information on these systems. These systems include, but are not limited to E*Justice, PIMS, Corrections Victoria Intervention Management System

Term	Description
	(CVIMS), Centurion and the Integrated Justice System (IJS).
<b>Disability</b>	As defined in section 4 of the <i>Disability Discrimination Act 1992</i> (Cth).
<b>Cognitively impaired</b>	Refers to persons with an intellectual disability or acquired brain injury.
<b>Disciplinary Officer</b>	As defined in Part 7 of the Corrections Act: A prison staff member nominated by the Secretary who is responsible for conducting a comprehensive investigation into all alleged prison offences.
<b>General Manager's Disciplinary Hearing</b>	Refer to Part 7, section 53 of the Corrections Act – Governors hearing: An adjudication conducted by a prison General Manager or their delegate in relation to all matters of a disciplinary nature within the prison.
<b>General Offender Screening and Assessment</b>	Conducted for prisoners with a sentence of six months or more who have been assessed as moderate or high risk of reoffending. A clinician conducts a file review to screen the prisoner's suitability for an offending behaviour program.
<b>Incentive Based Regime</b>	As defined in the Sentence Management Manual. A hierarchy of access to privileges, used as a management tool for prisoners in high security, close supervision or management cells or units under which access to privileges increases as a prisoner progresses through the different regimes.
<b>Individual Management File</b>	A paper-based record of a prisoner's progress and activity during their imprisonment.
<b>Local Plan</b>	Local Plans are developed at the local prison level by the prisoner with assistance from the caseworker to identify the prisoner's offence-specific, offence-related, reintegration and general wellbeing needs. This builds upon the Sentence Plan, articulates steps to achieve goals and a timeframe for completion and is ratified by the Review and Assessment Committee (refer Standard 6).
<b>Offending behaviour programs</b>	A range of offence-specific and offence-related interventions aimed at addressing criminogenic needs, based on the principles of risk, need and responsivity as defined in the Offender Management Framework.
<b>Offender Management Framework</b>	Corrections Victoria's Offender Management Framework requires the active engagement of offenders to promote positive behaviour change. The framework provides a structured approach to assessing, treating and managing offenders in order to reduce their risk of reoffending and applies across the Victorian prison system and Community Correctional Services.
<b>Prison General Manager</b>	A person holding the position of Governor as defined in the <i>Corrections Act 1986</i> . The person responsible for the management, security and good order of the prison and the safe custody and welfare of the prisoners.
<b>Review and Assessment Committee</b>	A multidisciplinary team approach that reviews a prisoner's classification (security rating, placement and sentence/local plan), transition into and out of a prison location, monitors progress against goals, and resolves any particular concerns or requests of the prisoner.
<b>Service Delivery Outcome</b>	A suite of delivery services measures, approved by the Commissioner, used to determine performance across the Victorian prison system. Payment of performance linked fees to private prison contractors is based upon achievement of targets established against each Service Delivery Outcome for the individual prison.
<b>Secretary</b>	Secretary, Department of Justice.
<b>Sentence Management Manual</b>	A document which provides direction to staff involved in the functions of sentence management to ensure that they perform their duties consistently and in line with legal requirements and Corrections Victoria's requirements. This document outlines the legislative and policy frameworks which relate to the sentence management function.
<b>Sentence Management Panel</b>	Sentence Management Panels are established to determine a prisoner's Security Rating and placement and developing a prisoner's Sentence Plan, as per the Sentence Management Manual and the Corrections Regulations 2009 Part 3, Section 23.

Term	Description
<b>Sentence Plan</b>	The Sentence Plan is developed by the Sentence Management Branch in line with the Sentence Management Manual. It provides a broad, flexible guide as to how sentenced prisoners should be managed during their term of imprisonment. Sentence Plan information is recorded on the electronic information system for prisoner information and on the Individual Management File.
<b>Serious Violent or Sex Offender</b>	A category of prisoners who are identified by Corrections Victoria according to the type of offence(s) for which they have been sentenced. The relevant offences are defined in section 77(9) of the <i>Corrections Act 1986</i> .
<b>Service Delivery Outcome</b>	Service Delivery Outcomes are a suite of delivery services measures, approved by the Commissioner, used to determine performance across the Victorian prison system.
<b>Structured Prisoner Day</b>	All Prison General Managers are required to provide a structured prisoner day which: <ul style="list-style-type: none"> <li>▪ maximises program involvement by prisoners</li> <li>▪ maximises activities involvement by prisoners</li> <li>▪ recognises the needs of specific prisoner groups.</li> </ul>

## Women's Policy Initiatives

Launched in 2005, in response to a spike in imprisonment of women,<sup>1</sup> *Better Pathways: An Integrated Response to Women's Offending and Reoffending* (Better Pathways) continues to address a range of needs shared by women at risk of offending and reoffending. The needs include:

- ◆ mental health
- ◆ substance abuse
- ◆ children and family ties
- ◆ physical health
- ◆ sexual assault
- ◆ family violence
- ◆ housing
- ◆ education and training
- ◆ employment
- ◆ transport.

Better Pathways responses include program and service delivery, infrastructure projects, and workforce training and development. At the time of publication, planning is underway to continue and improve gender specific programs and services.

*The Women's Correctional Services Framework*, a companion piece to Better Pathways, summarises research into gender factors related to offending:<sup>2</sup>

- ◆ *Frequency and seriousness of offending* – women commit fewer and less serious crimes than men and are more likely to be convicted of crimes involving property or drugs which are motivated by poverty, gambling or substance abuse.
- ◆ *Drug use* – the severity of women's drug use is more closely related to their offending than it is for men – for example, women are more likely to have committed their offence(s) while under the influence of drugs or to support their drug use.
- ◆ *Relationships through which offending behaviour develops* – women's offending often develops through relationships with family members, friends and significant others (partners, support

<sup>1</sup> Between 30 June 1998 and 30 June 2003, Victoria's female prisoner population increased by 84%, almost triple the growth in the male prisoner population over the same five-year period.

<sup>2</sup> Source: Ward, L. (2003) *Effective Community-based Programs for Women Offenders: An Evidence Based Review*, report prepared for Corrections Victoria, unpublished.

networks and colleagues) rather than with 'peer associates',<sup>3</sup> which is commonly cited as a risk factor for men.

- ◆ *Response to community supervision, incarceration and treatment* – women respond best to relationship-focused and holistic responses that address many of their needs simultaneously.
- ◆ *Dependent care responsibilities* – women offenders are significantly influenced by their responsibilities and concerns for their dependent children.
- ◆ *Prevalence of victimisation* – more women than men experience sexual, physical and psychological abuse. These experiences tend to contribute to women's criminality and shape their patterns of offending.
- ◆ *Mental illness, substance abuse and trauma* – the complex impact of mental illness, substance abuse and trauma is integral to women's offending, with higher rates of all three factors among women than for men.

Using these differences to inform prison management practices contributes towards improved rehabilitation outcomes.

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<sup>3</sup> Men are more likely to be influenced by criminal peers that are not family members, friends and significant others.

## PART A: PRISONER MANAGEMENT

### 1 Prisoner Management

#### 1.1 Outcomes

The prisoner management system:

- 1) controls and supervises prisoners in a humane and just manner while maintaining and promoting a safe and secure community
- 2) provides for the personal safety of staff, prisoners and visitors through a correctional environment that aims to protect the physical and emotional wellbeing of individuals
- 3) identifies and monitors prisoners' risks and needs
- 4) encourages prisoners to develop responsibility for their actions and to apply ethical values which reinforce law abiding and pro-social participation in the community
- 5) provides constructive regimes that are reflective of the prisoner's classification level
- 6) co-ordinates and prioritises access to appropriate programs, services and activities based on risks and needs
- 7) motivates prisoners to engage in and continue with programs and services designed to address offending behaviour
- 8) promotes well being with the aim of reducing re-offending
- 9) prepares prisoners for their return to the community and supports their transition from custody to the community
- 10) must ensure there is a prison-wide ethos of proactive staff engagement with prisoners
- 11) acknowledges the pivotal role of family and community ties as part of the rehabilitation process, and prisoners are supported to establish and / or maintain critical relationships while in custody.

#### 1.2 Specified outputs

The Prison General Manager will ensure:

- 1) there are appropriate facilities, equipment, policies and procedures in place to operate the prison to the required level
- 2) there are procedures in place to monitor compliance with the prison's policies and procedures
- 3) prisoners have access to skills development and offending behaviour programs, endorsed by the Commissioner, that address issues relevant to the life experiences and offending histories
- 4) prisoners are supervised in group sizes that enable each prisoner to be managed on an individual basis
- 5) there are flexible regimes for different prisoner groups in the varied accommodation types
- 6) rewards and sanctions are applied fairly and consistently by supervising staff in ways that encourage positive behaviour by prisoners
- 7) a range of meaningful and constructive activities are available to prisoners which are sufficient to occupy time out of their cells
- 8) prisoners are encouraged to become actively involved in appropriate activities, have input into aspects of their management and are provided with opportunities to accept positions of responsibility.

In order to achieve prisoner engagement, Prison General Managers will also ensure that staff:

- 9) model pro-social behaviours
- 10) positively reinforce behavioural expectations

- 11) build professional relationships in order to engage and motivate prisoners to comply with their sentence and address their offending
- 12) interact appropriately with prisoners from different social and cultural backgrounds
- 13) recognise signs in prisoners' behaviours that may indicate prisoners are in distress and respond appropriately to such signals
- 14) diffuse conflict in a professional and sensitive manner.

### 1.2.1 The Offender Management Framework

With reference to the Offender Management Framework, the Prison General Manager will:

- 1) maintain system integrity by developing practices that will ensure that what is introduced and delivered remains as planned and designed
- 2) manage risk and target intervention needs by developing practices that will accurately identify risk/needs and appropriate intensity of intervention
- 3) increase self responsibility by developing practices that facilitate learning in an individual and subsequently lead to behaviour change
- 4) provide a constructive environment by developing practices that ensure that the staff and prison environment promote, support and engage offenders in behaviour change
- 5) ensure that recording and reporting processes incorporate the performance indicators of the standards
- 6) implement a process to ensure compliance with the Offender Management Framework and the integrity of the case management and offender management practices as defined in the Framework
- 7) nominate a person to participate in the Offender Management Supervisors network.

## 1.3 Policy Requirements

The Prison General Manager will enforce and monitor the application of policies relating to prisoner management as required by the Commissioner, including, but not limited to:

- ◆ Corrections Victoria's Offender Management Framework.

## 1.4 Legislation

The Prison General Manager will comply with:

- ◆ *Corrections Act 1986*
- ◆ *Corrections Regulations 2009*
- ◆ *Charter of Human Rights and Responsibilities Act 2006*.

## 1.5 References

The Prison General Manager will have regard to:

- ◆ Standard Guidelines for Corrections in Australia 2012 – Guiding Principles, 1.21, 1.30, 1.34, 1.45, 1.47, 3.1-5.

## 2 Aboriginal and Torres Strait Islander prisoners

### 2.1 Outcomes

Prisoners who identify as Aboriginal or Torres Strait Islander are managed in a manner that is sensitive to their cultural needs and provided programs and services that focus on increasing protective factors and decreasing risk factors with a view to reducing the likelihood of reoffending.

### 2.2 Specified outputs

The Prison General Manager will:

- 1) comply with the principles and directions outlined in the Victorian Aboriginal Justice Agreement, including the recommendations of the Royal Commission into Aboriginal Deaths in Custody
- 2) provide Aboriginal and Torres Strait Islander prisoners with access to an Aboriginal Wellbeing Officer/Aboriginal Liaison Officer<sup>4</sup>
- 3) provide Aboriginal and Torres Strait Islander prisoners with access to an Aboriginal Wellbeing Officer/Aboriginal Liaison Officer, as defined above, within 24 hours of reception into the prison system
- 4) ensure that the Manager, Corrections Victoria's Aboriginal Programs Unit, or Commissioner's nominee is advised of the reception into the prison system of all Aboriginal and Torres Strait Islander prisoners within one business day of initial reception into the prison system
- 5) accommodate Aboriginal and Torres Strait Islander prisoners together, where possible and appropriate
- 6) work in cooperation with the Regional Aboriginal Justice Advisory Committee in responding to the needs of the Aboriginal and Torres Strait Islander prisoners and establishing links with the Koori community
- 7) train all staff members with the aim of their developing an understanding of the cultural needs of Aboriginal and Torres Strait Islander prisoners and ensure that staff:
  - a. are aware of the particular needs of Aboriginal and Torres Strait Islander prisoners
  - b. have regard for their life experience
  - c. manage them with dignity and respect
  - d. facilitate their access to appropriate support services
- 8) provide programs for Aboriginal and Torres Strait Islander prisoners which incorporate links to community programs including those provided by Aboriginal and Torres Strait community based organisations and/or culturally identified programs
- 9) ensure that services and programs emphasise local Aboriginal and Torres Strait Islander healing and wellbeing and are sensitive to issues resulting from previous practices of separating Aboriginal and Torres Strait Islander children from their families
- 10) provide programs and services to Aboriginal and Torres Strait Islander prisoners that focus on increasing protective factors and decreasing risk factors in order to reduce reoffending, with specific areas of focus to include mental health and social and emotional wellbeing, alcohol and drug use, family violence, education and employment, housing, and connection to family, community and culture

<sup>4</sup>Aboriginal Wellbeing Officers are 'designated' positions meaning that only persons identifying as Aboriginal or Torres Strait Islander can apply. Aboriginal Liaison Officers are 'identified' positions meaning that applicants must satisfy two specific key selection criteria amongst any others that may apply:

- a demonstrated knowledge and understanding of the Victorian Koori Community, both society and culture and issues impacting on it
- a demonstrated ability to communicate sensitively and effectively with members of the Victorian Koori Community.

- 11) provide programs and services that acknowledge the importance of extended family and community to Aboriginal and Torres Strait Islander prisoners and that address cultural and gender specific needs in a holistic manner
- 12) provide programs and services that are specific or adapted to the cultural needs of Aboriginal and Torres Strait Islander prisoners and facilitate the engagement of Aboriginal and Torres Strait Islander prisoners in offending behaviour programs
- 13) provide opportunities for Aboriginal and Torres Strait Islander prisoners to have access to recognised Elders and participate in celebrations and ceremonies of cultural importance
- 14) facilitate assistance and support for Aboriginal and Torres Strait Islander families to visit Aboriginal and Torres Strait Islander prisoners, as appropriate
- 15) provide an environment which fosters the maintenance of cultural and community links for Aboriginal and Torres Strait Islander prisoners
- 16) provide opportunities for Aboriginal and Torres Strait Islander prisoners to participate in activities individually and in a group
- 17) monitor and record the uptake, participation and completion rates of Aboriginal and Torres Strait Islander prisoners in offending behaviour programs, alcohol and other drug programs, pre and post-release programs
- 18) record participation in programs in the prisoner's Individual Management File
- 19) record, monitor and report offending behaviour program service delivery on the Commissioner's information systems as required
- 20) ensure staff record/change the prisoner's status with regard to Aboriginality based on the prisoner's statement on the Commissioner's information systems.

## 2.3 Policy requirements

The Prison General Manager will enforce and monitor the application of policies relating to Aboriginal and Torres Strait Islander prisoners as required by the Commissioner, including, but not limited to:

- ◆ Corrections Victoria's Koori Education, Training and Employment Strategy 2011-13
- ◆ principles and directions outlined in the Victorian Aboriginal Justice Agreement
- ◆ recommendations of the Victorian Implementation Review of the Recommendations from the Royal Commission into Aboriginal Deaths in Custody 2005
- ◆ Justice Health's Quality Framework 2011 (Part II Health Service Standards) Standard 2.1 Aboriginal and Torres Strait Islander, cultural and specific needs.

## 2.4 Legislation

The Prison General Manager will comply with:

- ◆ *Charter of Human Rights and Responsibilities Act 2006*
- ◆ *Equal Opportunity Act 2010*.

## 2.5 References

The Prison General Manager will have regard to:

- ◆ Standard Guidelines for Corrections in Australia 2012 – 2.15
- ◆ Final report of the Royal Commission into Aboriginal Deaths in Custody, 1991 (findings and recommendations)
- ◆ Department of Justice's Koori Inclusion Action Plan
- ◆ Victorian Aboriginal Affairs Framework 2013 – 2018

## 3 Prisoners with a disability

### 3.1 Outcomes

Prisoners with a disability have access to prison services and programs based on the principle of equality of opportunity and non-discrimination, thereby participating equally in prison life, as far as possible.

Prisoners with a disability are accommodated in a safe, secure environment, which provides them with assistance to adjust to the prison environment, and with programs which address their individual needs and their offending behaviours.

### 3.2 Specified outputs

The Prison General Manager will:

- 1) design and deliver programs and services for prisoners with a disability in accordance with the principles contained within the Corrections Victoria Disability Framework
- 2) as far as practicable, ensure that prisoners with a disability have access to the full range of programs, facilities and services available to all prisoners. These will include but are not limited to:
  - a. a range of education, training and offending behaviour programs and resources designed to increase skills, address offending behaviours and assist re-entry into the community
  - b. appropriate work and recreation opportunities
  - c. appropriate physical access, including accommodation, toilet and showering facilities
  - d. appropriate case management
  - e. pre and post-release planning programs and services
- 3) provide information about prison services and programs to prisoners with a visual, hearing or other impairment in an appropriate and accessible form
- 4) provide prisoners with a disability with access to such aids as are necessary to meet the needs associated with their disability, and thereby support their physical, emotional and mental wellbeing.
- 5) designate a staff member to participate in Corrections Victoria's Prison and Community Correctional Services Disability Portfolio Holders' Network
- 6) ensure that staff:
  - a. are aware of the special needs of prisoners with a disability
  - b. have regard for their altered life experience
  - c. manage them with dignity and respect
  - d. facilitate their access to appropriate support services
- 7) ensure that staff record and update the prisoner's status with regard to their disability on the prisoner's Individual Management File and the Commissioner's information systems.

#### 3.2.1 Prisoners with a cognitive impairment<sup>5</sup>

The Prison General Manager will:

- 1) refer prisoners whose behaviours, histories, mannerisms or thought processes indicate an intellectual disability and who have not previously been identified or previously registered as having an intellectual disability persons as soon as possible to Disability Services, Department of Human Services and inform the Sentence Management Branch of those prisoners who are subsequently registered. Similarly, prisoners who may have an acquired brain injury but have not been formally assessed should be appropriately referred

<sup>5</sup> 'Prisoners with a 'cognitive impairment' refers to those prisoners with an intellectual disability or acquired brain injury.

- 2) locate prisoners with a cognitive impairment in an accommodation area that provides adequate safety and security for all prisoners
- 3) provide access to staff from the Department of Human Services or other assessment services for those with a cognitive impairment in order to facilitate the assessment and implementation of individual development programs
- 4) facilitate external independent advocacy where available, for cognitively impaired prisoners in various forums so as to ensure due and proper process
- 5) provide prisoners with a cognitive impairment with the opportunity to be supported by the Office of the Public Advocate in General Manager's Disciplinary Hearings
- 6) establish and maintain links with the Manager, Targeted Programs, and the Manager, Specialised Offender Assessment Treatment Service, Corrections Victoria, or other representatives as nominated by the Commissioner, to ensure continuity of service for prisoners with a disability
- 7) establish and maintain links with the Disability Forensic Assessment and Treatment Service Disability Prison Services Coordinator, Department of Human Services
- 8) ensure that offending behaviour programs for prisoners with a cognitive impairment that are delivered are accredited under the Intervention Accreditation Model
- 9) record prisoner participation in programs in the prisoner's Individual Management File and the Commissioner's information systems
- 10) record, monitor and report on program delivery and outcomes for this prisoner cohort on the prisoner's Individual Management File and the Commissioner's information systems as required.

### 3.3 Policy requirements

The Prison General Manager will enforce and monitor the application of policies and programs relating to prisoners with a disability as required by the Commissioner, including, but not limited to:

- ◆ Corrections Victoria's Disability Framework 2013–15
- ◆ Protocol between Corrections Victoria, Department of Justice and Disability Services, Department of Human Services 2008
- ◆ Department of Justice's Disability Action Plan.

### 3.4 Legislation

The Prison General Manager will comply with:

- ◆ *Corrections Act 1986*, section 47(1)(g)
- ◆ *Charter of Human Rights and Responsibilities Act 2006*
- ◆ *Disability Act 2006*
- ◆ *Equal Opportunity Act 2010*
- ◆ *Disability Discrimination Act 1992 (Cth)*.

### 3.5 References

The Prison General Manager will have regard to:

- ◆ Standard Guidelines for Corrections in Australia 2012 – 1. 42, 1.48, 2.42-43, 2.64-65.

## 4 Prisoners from culturally and linguistically diverse backgrounds

### 4.1 Outcomes

Prisoners from culturally and linguistically diverse backgrounds are managed in a manner that is sensitive to their cultural needs and are provided with up to date information, in their preferred language, on prison services, regulations and prisoner rights and responsibilities.

Where a prisoner has difficulty understanding English, the information will be provided in a language the prisoner can understand, where possible.

### 4.2 Specified outputs

The Prison General Manager will:

- 1) where possible, ensure that prisoners from culturally and linguistically diverse backgrounds are provided with support and programs that are culturally relevant
- 2) provide prisoners experiencing difficulties in comprehending English with the opportunity, at no cost to those prisoners, to have an independent, professional interpreter to assist them when attending:
  - a. prison reception assessment or other assessment process
  - b. prison orientation sessions
  - c. disciplinary hearings
  - d. meetings of Review and Assessment Committees or Sentence Management Panels
  - e. meetings in relation to their Local Plan
  - f. meetings with Victoria Police or prison intelligence staff
  - g. meetings of the Adult Parole Board
  - h. consultations with medical practitioners, health care staff, professional visitors, the Commissioner or the Ombudsman
  - i. any other instance where a management decision or change in circumstances must be communicated to the prisoner
- 3) wherever possible, use a professional interpreter who has attained a minimum of the National Accreditation Authority for Translators and Interpreters (NAATI) at the professional level<sup>6</sup>, and only use an interpreter who is accredited at a lower level where a professional interpreter is not available and if it is appropriate in the specific circumstances
- 4) ensure that written prison information booklets, notices and leaflets are translated into major community languages and provided to prisoners on reception and at other times as required
- 5) provide services which recognise the cultural diversity of the prisoner population and provide assistance to prisoners from non-English speaking backgrounds to integrate into the prison environment and to access the services provided
- 6) ensure staff are familiar with the special needs of prisoners from non-English speaking backgrounds and, when dealing with these prisoners, that they acknowledge cultural diversity and facilitate access to appropriate support services
- 7) ensure that staff record/change the prisoner's status with regards to their need for an interpreter, primary language and other required information on the Individual Management File and Commissioner's information systems as necessary.

### 4.3 Policy requirements

The Prison General Manager will enforce and monitor the application of policies and programs relating to prisoners from culturally and linguistically diverse background as required by the Commissioner, including, but not limited to:

<sup>6</sup> Formerly known as Level 3.

- ◆ Department of Justice's Language Services Policy and Guidelines for working with Interpreters and Translators
- ◆ Department of Justice's Cultural Diversity Plan 2012-16.

## 4.4 Legislation

The Prison General Manager will comply with:

- ◆ *Corrections Act 1986*
- ◆ *Charter of Human Rights and Responsibilities Act 2006*
- ◆ *Equal Opportunity Act 2010*
- ◆ *Racial Discrimination Act 1975 (Cth)*
- ◆ *Disability Discrimination Act 1992 (Cth)*.

## 4.5 References

The Prison General Manager will have regard to:

- ◆ Standard Guidelines for Corrections in Australia 2012 – 1.5, 1.6, 1.42, 1.47 1.73, 2.21, 3.14
- ◆ Corrections Victoria, Cultural Diversity Action Plan 2011–13.

## 5 Remand prisoners

### 5.1 Outcomes

Remand prisoners, who are not also serving a sentence of imprisonment, are treated without restrictions other than those necessary to maintain the good order, security and management of the prison and the safety of the prisoner.

The additional stress associated with the uncertainty of being remanded in prison, particularly for women separated from their children, is taken into account in the provision of support services to these women.

### 5.2 Specified outputs

#### 5.2.1 Remand only

Remand prisoners who are not also serving a sentence for imprisonment must:

- 1) be kept separate from sentenced prisoners, where possible and appropriate
- 2) be permitted to wear their own clothing (subject to operational limitations)
- 3) be offered the opportunity to work
- 4) be offered the opportunity to participate in education and other programs
- 5) be offered the opportunity to participate in offending related programs, regardless of their accommodation type
- 6) have increased visitor access at the discretion of the Prison General Manager, especially where children under 16 years of age are involved
- 7) have their circumstances assessed and, where appropriate, be provided with assistance to access post release/bail support services.

#### 5.2.2 Legal resources

All prisoners who have legal matters pending, whether they are on remand or sentenced to a term of imprisonment, must:

- 1) be able to meet and have telephone conversations with their lawyers consistent with security requirements
- 2) be able to meet and have telephone conversations with their co-accused consistent with requests from police and security requirements and any consideration related to the administration of justice
- 3) have access to legal resource centre or materials.

### 5.3 Legislation

The Prison General Manager will comply with:

- ◆ *Corrections Act 1986*, section 47(1)(e)
- ◆ *Charter of Human Rights and Responsibilities Act 2006*.

### 5.4 References

The Prison General Manager will have regard to:

- ◆ Standard Guidelines for Corrections in Australia 2012 – 1.9-17, 3.24
- ◆ International Covenant on Civil and Political Rights, Article 10(2)(a).

## 6 Detention order offenders

### 6.1 Outcomes

Serious sex offenders, who are subject to a detention order under the *Serious Sex Offenders (Detention and Supervision) Act 2009*, will be managed in a way that enhances the protection of the community and provides for the rehabilitation and treatment of the offender.

### 6.2 Specified outputs

The Prison General Manager will ensure that detention order offenders are:

- 1) managed in accordance with the Supreme Court order and ensure processes relating to annual reviews of the order are adhered to
- 2) treated in a way that is appropriate to their status as unconvicted prisoners, subject to any restrictions necessary to maintain the management, security and good order of the prison, and the safe custody and welfare of the offender or other prisoners
- 3) kept separate from sentenced prisoners except where:
  - a. it is reasonably necessary for the purposes of rehabilitation, treatment, work, education, general socialisation and other group activities of this kind
  - b. it is necessary for the safe custody or welfare of the offender or prisoners or the security or good order of the prison
  - c. the offender has elected to be so accommodated or detained
- 4) permitted to wear their own suitable clothing
- 5) not compelled to work, however may do so if they choose
- 6) managed in a way that ensures their human rights are limited only to the extent that it is reasonably and demonstrably justified to do so and that staff act in a way that is compatible with human rights principles.

In close consultation with the Sex Offender Management Branch and the Deputy Commissioner, Offender Management, the Prison General Manager will ensure that detention order offenders have access to prison services, programs and processes in a way that is appropriate to their status as unconvicted prisoners. This includes:

- 1) offender management
- 2) prison processes (reception, assessment, classification, placement)
- 3) case management
- 4) clinical and health services
- 5) treatment
- 6) education, industry and programs
- 7) Detention Order Custodial Community Permit Program
- 8) fitness, sport and recreation
- 9) religion
- 10) visits
- 11) telephone, mail and computer access
- 12) voting.

### 6.3 Policy requirements

The Prison General Manager will enforce and monitor the application of policies relating to detention order offenders as required by the Commissioner, including, but not limited to:

- ◆ Corrections Victoria's Correctional Management Standards - Post-Sentence Supervision or Detention Scheme for Serious Sex Offenders 2012.

## 6.4 Legislation

The Prison General Manager will comply with:

- ◆ *Corrections Act 1986*
- ◆ *Serious Sex Offenders (Detention and Supervision) Act 2009*
- ◆ *Charter of Human Rights and Responsibilities Act 2006*
- ◆ Corrections Victoria - Post-Sentence Supervision or Detention Scheme for Serious Sex Offenders 2012.

## 6.5 References

The Prison General Manager will have regard to:

- ◆ Standard Guidelines for Corrections in Australia 2012.

## PART B: SAFETY AND SECURITY SERVICES

Compared with male prisoners, women prisoners generally present a lower security risk and have more significant and complex needs associated with the intersection of substance abuse, trauma and mental health problems. For a significant number of primary caregivers, there is anxiety and stress from being separated from their children.

Correctional practice to ensure the good order and security of prisons should take into account the distinct needs, characteristics and life experiences of women prisoners.

### 7 Safety

#### 7.1 Outcomes

The prison environment maximises the safety of staff, visitors and prisoners at all times.

#### 7.2 Specified outputs

The Prison General Manager will:

- 1) provide for the safety of staff, visitors and prisoners
- 2) provide an environment where the safety of prisoners is maximised through adequate supervision, suitable placement within the prison and effective management of prisoners
- 3) ensure ongoing development of practices that support staff, visitors and prisoners engaging in pro-social behaviour
- 4) maintain a prison safety regime that, without limitation,:
  - a. provides an immediate and effective incident response
  - b. prohibits bullying, and prisoners being under the control of other prisoners
  - c. encourages prisoners to alert staff if an incident or event threatens their personal safety or that of others
  - d. identifies prisoners at risk from other prisoners
  - e. identifies prisoners who present a risk to prison staff or other prisoners
  - f. identifies prisoners who present a risk to themselves
  - g. places those prisoners referred to in paragraphs (d), (e) and (f) above in situations that allow for monitoring of risks and minimises the likelihood of them being harmed or harming others
  - h. ensures that the most vulnerable prisoners are managed in a way that maximises their safety, while allowing equitable access to the services available to other prisoners
  - i. provides for the separation and/or observation of prisoners where necessary to maximise their safety and the safety of all those within the facility
- 5) maintain processes to ensure that all allegations of assault are promptly reported to Victoria Police and the Commissioner and are fully investigated by the Prison General Manager where required by the Commissioner
- 6) maintain a dispute resolution procedure for prisoners to resolve disputes with other prisoners
- 7) maintain effective security procedures that must, among other things, deter the introduction of detect and confiscate any article or substance that may threaten the good order or security of the prison including but not limited to any weapons introduced, manufactured, carried or secreted by staff, visitors or prisoners
- 8) implement procedures for the risk assessment, storage and control of dangerous goods, tools, equipment and materials
- 9) provide for the occupational health and safety of prisoner workers and staff, including adherence to the smoke-free prison policy

- 10) do all things necessary within the Prison General Manager's power and control to ensure that no prisoner injuries or deaths occur due to unnatural causes.

### 7.3 Performance indicators

Service Delivery Outcomes:

- ◆ number of assaults on staff or other persons by prisoners
- ◆ number of unnatural deaths (prison operator contributed as determined by the Coroner)
- ◆ proportion of self-harm incidents
- ◆ number of assaults on prisoners by other prisoners
- ◆ number of assaults on prisoners by staff (zero tolerance).

### 7.4 Policy requirements

The Prison General Manager will enforce and monitor the application of policies relating to safety and security as required by the Commissioner, including, but not limited to:

- ◆ Corrections Alcohol and Drug Strategy 2014
- ◆ Corrections Victoria's Sentence Management Manual
- ◆ Corrections Victoria's Tactical Options Response Framework
- ◆ Corrections Victoria's Smoke Free Work Environment Policy.

### 7.5 Legislation

The Prison General Manager will comply with:

- ◆ *Corrections Act 1986*, sections 20, 21, 23
- ◆ Corrections Regulations 2009, regulation 50
- ◆ *Charter of Human Rights and Responsibilities Act 2006*
- ◆ *Dangerous Goods Act 1985*
- ◆ *Occupational Health and Safety Act 2004*
- ◆ Occupational Health and Safety Regulations 2007
- ◆ *Public Health and Wellbeing Act 2008*.

### 7.6 References

The Prison General Manager will have regard to:

- ◆ Standard Guidelines for Corrections in Australia 2012 – 1.25, 1.27-28, 1.45, 1.52, 2.11.

## 8 Security

### 8.1 Outcomes

The prison security system:

- 1) ensures the protection of the community by minimising the risk of prisoner escape
- 2) provides a secure working and living environment for staff, visitors, children in residence, and prisoners
- 3) controls any article or substance within the prison grounds that may threaten the good order or security of the prison.

### 8.2 Specified outputs

#### 8.2.1 Prisoner security

The Prison General Manager will:

- 1) ensure that the location of all prisoners is known at all times and that the movement of all prisoners within the prison is controlled at all times
- 2) have an approach to movement control of prisoners that:
  - a. is planned and organised
  - b. reflects the level of risk presented by the prisoners undertaking the movement
  - c. is responsive to changing events or prison incidents
- 3) ensure that sufficient security systems and procedures exist to detect, prevent and/or deter prisoner escape
- 4) ensure that staff respond speedily and effectively to intercept prisoners who attempt to escape
- 5) have static and dynamic security systems appropriate to the prison purpose and prisoner profile
- 6) ensure that any irregularities or security breaches are identified and investigated
- 7) have procedures in place to store all firearms safely and securely upon their entry to the prison
- 8) maintain an inventory of security and safety equipment
- 9) maintain processes to ensure that all prisoner escapes are promptly reported to Victoria Police.

#### 8.2.2 Searches

The Prison General Manager will ensure that:

- 1) strip searches of prisoners and others are conducted in accordance with section 45 of the *Corrections Act 1986*, and regulations 69 and 71 of the *Corrections Regulations 2009* and the Commissioner's requirements. This includes:
  - a. strip searches are conducted by staff members of the same sex where possible, in the least intrusive manner possible, and within facilities that ensure the dignity and privacy of the prisoners being searched
  - b. where relevant, prisoners being strip searched are given the option to choose between authorised types of search
  - c. officers conducting a strip search should be responsive to the individual prisoner, particularly in relation to issues of culture and previous life experience
  - d. strip searches of prisoners and visitors do not include body cavity searches or the removal of tampons
- 2) signage relating to avenues for prisoner complaints must be available to prisoners in strip search areas
- 3) officers conducting strip searches are trained in the correct protocol for such searches

- 4) there are procedures in place to detect and confiscate weapons, drugs and other contraband that have been introduced, manufactured, carried or secreted by prisoners, visitors or others
- 5) there are procedures in place to enable the exchange of information with Victoria Police with respect to visitors introducing or attempting to introduce drugs, weapons or other contraband into the prison
- 6) there are procedures in place to search vehicles and items entering the prison
- 7) all searches are recorded and any findings are reported as required by the Commissioner.

### 8.2.3 Children of Prisoners

The Prison General Manager will ensure that

- 1) ensure that searches of children residing in custody and/or their property are only undertaken with the appropriate authority, and that:
  - a. children are not subjected to a full body search
  - b. searching of a child or child's property is only conducted in the presence of the mother/primary caregiver
  - c. any removal of the child's clothing is undertaken by the primary caregiver in the presence of staff, and with the written consent of the mother/primary caregiver
  - d. the young person must agree to be searched without coercion from the parent/guardian or a third party
  - e. an officer of the opposite sex of the young person is not permitted to be present during the strip search.
- 2) ensure that searches of visiting children under the age of 16 years only occurs with the written consent of the child's parent or guardian and in the presence of an adult nominated by the child or the child's parent or guardian.

### 8.2.4 Drug detection

The Prison General Manager will maintain systems that:

- 1) prevent the introduction of drugs into prisons by ensuring, among other things, that:
  - a. staff, visitors, contractors and others are deterred from introducing drugs into prisons
  - b. persons attempting to traffic drugs into prisons are apprehended and referred to Victoria Police
  - c. drugs are not concealed on persons, or in goods, property, food or vehicles and any concealed drugs are located and seized
- 2) detect and deter drug use and drug trafficking within prisons through barrier control activities, and random and targeted urinalysis in order to minimise security breaches and harms arising from drug use
- 3) ensure that any canines used for drug detection and/or barrier control have undergone a training course approved by the Commissioner and comply with the *Domestic Animals Act 1994*.

Such systems will comply with the standards required by the Corrections Alcohol and Drug Strategy 2014 and the Identified Drug User Program and any other standards set by the Commissioner.

### 8.2.5 Intelligence system

The Prison General Manager will:

- 1) input into the approved state-wide system for recording and analysis of intelligence information
- 2) ensure that personnel entering data or accessing the intelligence information system:
  - a. are approved to do so by the Commissioner
  - b. receive a suitable level of training to maintain the integrity of the system

- c. promptly, continuously and accurately enter up-to-date information.

## 8.2.6 Access control

The Prison General Manager will:

- 1) maintain an effective system to control access to the prison and areas within the prison by any person; the system should also provide for the identification of persons accessing the prison and within the prison. Such a system will be in accordance with regulations 60-68 of the Corrections Regulations 2009
- 2) ensure that visitors can be searched prior to entering the prison
- 3) maintain procedures for the management of all tools and equipment entering and leaving the prison in order to prevent unauthorised access to tools and equipment by prisoners
- 4) maintain procedures for key and lock control
- 5) securely store both original and duplicate security keys
- 6) securely store any evidentiary material
- 7) ensure that prisoners never have access to security keys, key and lock cabinets, key/lock control centres or communication systems
- 8) ensure that any access control systems in place, including key control systems, have a self-auditing capability.

## 8.3 Performance indicators

Service Delivery Outcomes:

- ◆ the number of individual escapes
- ◆ the percentage of positive and positive equivalents in random general urinalysis tests

## 8.4 Policy Requirements

The Prison General Manager will enforce and monitor the application of policies relating to safety and security as required by the Commissioner, including, but not limited to:

- ◆ Corrections Victoria's Victorian Prisons Drug Strategy
- ◆ Corrections Victoria's Intelligence Manual
- ◆ Corrections Victoria's Victorian Prison Opioid Substitution Therapy Program (2003): Clinical and Operational Policy and Procedures.

## 8.5 Legislation

The Prison General Manager will comply with:

- ◆ *Corrections Act 1986*, sections 20-23, 32, 39, 42-46, 47A-E, and 108
- ◆ Corrections Regulations 2009, regulations 17-19, and 60-77
- ◆ *Charter of Human Rights and Responsibilities Act 2006*
- ◆ *Dangerous Goods Act 1985*
- ◆ *Occupational Health and Safety Act 2004*
- ◆ *Domestic Animals Act 1994*
- ◆ *Domestic Animals Amendment (Dangerous Dogs) Act 2010*.

## 8.6 References

The Prison General Manager will have regard to:

- ◆ Standard Guidelines for Corrections in Australia 2012 – 1.26, 1.48-51, 1.53-54, 2.24-5, 3.25, 3.32-34

- ◆ Corrections Victoria's Best Practice Requirements for Electronic Security Measures in Maximum and Medium Security Prisons
- ◆ Corrections Victoria's Minimum Security Requirements for Maximum and Medium Security Prisons.

## 9 Reception

Transition into prison can be a stressful and disorienting experience. For a significant proportion of women, the anxiety associated with adjusting to this environment is exacerbated by separation from their children and uncertainty about care arrangements and custody issues. Further, many women enter prison with a range of complex unmet treatment and support needs related to one or more of substance abuse, past victimisation, mental health and poor physical health.

While the combination of these factors can place women at risk of harm during the period of their transition into custody, this phase also presents significant opportunities to identify and address unmet treatment and support needs.

### 9.1 Outcomes

The prison reception process:

- 1) accurately identifies prisoners
- 2) promptly identifies and assists prisoners assessed as being at risk of suicide or self-harm
- 3) ensures an effective response to any urgent welfare, medical or psychiatric needs
- 4) ensures that prisoners are lawfully detained
- 5) provides opportunities to make arrangements in relation to other urgent matters, including but not limited to:
  - a. children and other dependants
  - b. housing
  - c. finances, including government benefits.

### 9.2 Specified outputs

#### 9.2.1 Initial reception into prison

The Prison General Manager will ensure that on initial reception into prison custody, all prisoners:

- 1) are clearly identified against a warrant
- 2) if sentenced, have the reasons for their imprisonment, details of sentence, and rights and procedures of appeal explained to them
- 3) if remanded, have the reasons for their imprisonment and procedures for bail explained to them
- 4) are advised of the procedure for contacting Victoria Legal Aid
- 5) have their personal property searched, documented and, if necessary, stored
- 6) are issued with items of personal property and prison property, including prison clothing, as necessary and permitted
- 7) undergo a comprehensive health, medical and psychiatric screening assessment by a medical practitioner as soon as possible after initial reception, and not later than 24 hours after reception
- 8) are informed of the right to have voluntary testing for infectious diseases
- 9) are given the opportunity to contact family or friends to advise them of their location and visiting procedures
- 10) are given appropriate opportunities to make arrangements for the welfare of children and any other dependents, including being informed about the Mothers and Children Program
- 11) are provided with sufficient information to orient them to the prison environment in a form that is accessible and appropriate to the prisoner's abilities (including taking into account any sensory and cognitive disabilities) and in a language that the prisoner can understand

- 12) who are assessed as being vulnerable and in need of protection within the prison, are placed into an appropriate safe and secure environment and, where appropriate, provided with assistance to prepare them for placement in a mainstream prison environment or the community
- 13) who are identified or suspected as having a cognitive impairment, are provided with a comprehensive intellectual development screening assessment
- 14) who identify as Aboriginal or Torres Strait Islander, are provided access to an Aboriginal Wellbeing Officer or Aboriginal Liaison Officer, and that the Manager, Aboriginal Programs Unit is advised within 24 hours of their initial reception into prison
- 15) who are foreign nationals, are informed of their right to have the local consular representative informed of their detention and have access to consular services
- 16) are placed in suitable accommodation, taking into account the prisoner's legal status and any special security, protection, medical or welfare requirements
- 17) who are Vietnamese are provided access to an appropriately qualified Vietnamese-speaking support worker
- 18) comply with guidelines and assessment tools, endorsed by the Commissioner, which assist staff in identifying prisoners who are at risk of suicide or self-harm
- 19) are assessed and given help to cope with stress through systems of early reporting, referral and management in order to minimise self-harm and suicide opportunities.

## 9.2.2 Sentenced prisoners

The Prison General Manager will:

- 1) facilitate Sentence Management Branch staff access to prisoners and relevant prison staff to ensure that sentenced prisoners who meet the Commissioner's eligibility criteria have a Sentence Plan developed within a reasonable time (as close to two weeks as possible) of reception that articulates management and intervention strategies to be undertaken to reduce prisoners' risk of reoffending
- 2) comply with guidelines and assessment tools which assist staff to develop Local Plans aimed at reducing sentenced prisoners' risk of reoffending and assist with transition to the community upon release
- 3) comply with guidelines and assessment tools, endorsed by the Commissioner, which assist staff in identifying prisoners who are at risk of suicide or self-harm
- 4) ensure that all prisoners who are identified as being at risk of suicide or self-harm, in accordance with the above mentioned guidelines and assessment tools, are referred to a mental health professional for assessment within two hours of being so identified.

## 9.2.3 Reception after transfer from another prison

The Prison General Manager will ensure that on reception into the prison after transfer from another location, all prisoners:

- 1) are clearly identified
- 2) are screened for health, medical or psychiatric conditions by a nurse or medical practitioner as soon as possible after reception but not later than 24 hours after reception, and referred to an appropriate health professionals where necessary
- 3) have their personal property searched, documented and, if necessary, stored
- 4) are issued with personal property and prison property, including prison clothing, as necessary
- 5) are given the opportunity to contact family or friends to advise them of their location and the visiting procedures
- 6) are provided with sufficient information to orient them to the prison environment in a form that is accessible and appropriate to the prisoner's abilities (including taking into account any sensory and cognitive disabilities) and in a language that the prisoner can understand
- 7) are placed in suitable accommodation, taking into account the prisoner's legal status and any special security, protection, medical or welfare requirements

- 8) have their Sentence Plan reviewed and a Local Plan developed that is consistent with the goals in their Sentence Plan
- 9) ensure that, where a transfer involves a prisoner who is participating in the Mothers and Children Program, arrangements are made for the transfer of the child to the new prison location (or other living arrangements, as appropriate) and that family and any other relevant authorities are notified.

### 9.2.4 Prisoners who are at risk of suicide or self-harm

The Prison General Manager will:

- 1) comply with guidelines and assessment tools, endorsed by the Commissioner, that assist staff in identifying prisoners who are at risk of suicide or self-harm
- 2) ensure that all prisoners who are identified as being at risk of suicide or self-harm are immediately referred to a mental health professional for assessment, and that the assessment takes place within two hours of being so identified
- 3) to the extent that there is a gap between the referral and assessment taking place, ensure that the prisoner is managed in such a way as to ensure their safety and security.

## 9.3 Performance indicators

Service Delivery Outcomes:

- ◆ medical screenings conducted within 24 hours.

## 9.4 Policy Requirements

The Prison General Manager will enforce and monitor the application of policies relating to safety and security as required by the Commissioner, including, but not limited to:

- ◆ Justice's Health Quality Framework 2011.

## 9.5 Legislation

The Prison General Manager will comply with:

- ◆ *Corrections Act 1986*, sections 28-29A
- ◆ *Charter of Human Rights and Responsibilities Act 2006*
- ◆ *Disability Act 2006*
- ◆ *Diplomatic Privileges and Immunities Act 1967*, section 7.

## 9.6 References

The Prison General Manager will have regard to:

- ◆ Standard Guidelines for Corrections in Australia 2012 – 1.1, 1.2, 1.3, 1.4, 1.5, 1.6, 1.46, 3.35
- ◆ Vienna Convention on Consular Relations 1963.

# 10 Orientation

## 10.1 Outcomes

All prisoners are provided with sufficient information to effectively orient them to the prison system and prison environment.

## 10.2 Specified outputs

The Prison General Manager will provide prisoners with sufficient information to effectively orient them into the prison system upon reception, and not later than 48 hours after reception into the prison. The information must be provided in a form that is accessible and appropriate to the prisoner's abilities (including taking into account any sensory and cognitive disabilities) and in a language that the prisoner can understand. The information will include:

- 1) their rights and responsibilities
- 2) the prisoner classification system
- 3) prison rules, routines and procedures
- 4) individual management processes
- 5) management expectations of prisoner behaviour
- 6) the incentive and sanction regime
- 7) the disciplinary processes
- 8) access to visits, telephone calls, mail and property
- 9) the internal and external complaint and grievance processes
- 10) their options in relation to participation in work, vocational training, education, recreation, and access to programs and services while they are imprisoned
- 11) the agencies providing prison health services
- 12) translation and interpreter services
- 13) legal services
- 14) religious and pastoral care services
- 15) Aboriginal Wellbeing and Liaison Officers, for Aboriginal or Torres Strait Islander prisoners
- 16) agencies providing specialist support to assist in the transition to prison or on release from prison
- 17) Independent Prison Visitors
- 18) suicide/self-harm support and assistance procedures
- 19) processes for reporting alleged incidents (including but not limited to alleged assaults)
- 20) anti-bullying information
- 21) infection control practices
- 22) Occupational Health and Safety and emergency procedures (including intercom use)
- 23) services provided by Vietnamese liaison officers, for Vietnamese prisoners.

## 10.3 Performance indicators

Service Delivery Outcome:

- ◆ For prisons that take initial receptions - attendance at a prison related harm reduction program.

## 10.4 Policy requirements

The Prison General Manager will enforce and monitor the application of policies relating to safety and security as required by the Commissioner, including, but not limited to:

- ◆ Justice Health's Quality Framework 2011.

## 10.5 Legislation

The Prison General Manager will comply with:

- ◆ *Corrections Act 1986*

- ◆ *Charter of Human Rights and Responsibilities Act 2006.*

## 10.6 References

The Prison General Manager will have regard to:

- ◆ Standard Guidelines for Corrections in Australia 2012 – 1.4-1.6, 1.46.

## 11 Classification and placement

### 11.1 Outcomes

All prisoners are placed appropriately within the prison according to their legal status, security rating, management requirements and individual needs.

### 11.2 Specified outputs

#### 11.2.1 Classification of prisoners

The Prison General Manager will manage the prisoner after reception into the prison according to the prisoner's classification.

The Prison General Manager will place prisoners as follows:

- 1) prisoners will generally be placed within the prison at the lowest security level for which they qualify
- 2) remand prisoners will be separated from sentenced prisoners where wherever possible and appropriate
- 3) prisoners will be placed so as to enable individualised Local Plans targeting offending behaviour and other needs to be implemented, where prison security, classification and management considerations permit
- 4) women participating in the Mothers and Children Program will be co-located with their child(ren) in accommodation that meets the best interests of their child(ren).

#### 11.2.2 Specialised units

The Commissioner, the Assistant Commissioner Sentence Management Branch and Sentence Management panels may classify a prisoner for placement within the specialised units in the prison.

#### 11.2.3 Shared accommodation

The Prison General Manager will ensure that an analysis of compatibility is conducted prior to placing prisoners into a shared cell. The assessment, which must be documented in the prisoner's IMF, should consider the individual prisoner's:

- 1) age
- 2) vulnerabilities
- 3) offence history
- 4) incident history
- 5) religion
- 6) medical advice
- 7) advice from Sentence Management Branch
- 8) physical capability
- 9) ethnicity.

#### 11.2.4 Liaison

The Prison General Manager and Commissioner will maintain a liaison and reporting mechanism that allows for an effective exchange of information on classification and placement issues.

## 11.2.5 Sentence Plan and Local Plan

### Sentence Plan

The Commissioner is responsible for the prisoner's Sentence Plan, including calculation of and amendments to a prisoner's release date.

The Sentence Plan is developed by the Sentence Management Branch of Corrections Victoria at the time of initial classification and is designed to:

- 1) ensure that the prisoner is managed in a consistent and coordinated manner throughout the sentence
- 2) identify and clearly document the prisoner's criminogenic and other needs, and broad strategies and interventions required to meet those needs, including those interventions designed to reduce the risk of re-offending
- 3) provide a basis for the Prison General Manager to undertake further assessment and develop more comprehensive Local Plans for each prisoner
- 4) ensure that prisoners have access to a range of services, programs and activities appropriate to their identified needs
- 5) ensure that the level of program and service delivery is matched to the prisoner's level of risk (including the risk of reoffending, escape, and self-harm)
- 6) encourage the prisoner to take responsibility for the constructive use of time in custody
- 7) facilitate regular reviews and update of the plan and achievement towards its objectives.

The Sentence Plan information is recorded on the electronic information system for prisoner information and on the Individual Management File (IMF).

### Local Plan

The Prison General Manager will:

- 1) develop, implement and monitor progress against the prisoner's Local Plan
- 2) ensure that prisoners have access to services, programs and activities identified in their Local Plan
- 3) take into consideration the Sentence Plan and regularly review and update the Local Plan in accordance with the requirements of the Commissioner.

## 11.2.6 Review and Assessment Committee

The Prison General Manager will establish a Review and Assessment Committee to monitor the progress of each prisoner and involve the prisoner in decisions affecting their progress while in the prison.

The Review and Assessment Committee will be established and operate in accordance with the *Corrections Act 1986* and Corrections Regulations 2009, and with the policies and procedures set out in the Sentence Management Manual.

## 11.3 Policy requirements

The Prison General Manager will enforce and monitor the application of policies relating to safety and security as required by the Commissioner, including, but not limited to:

- ◆ Corrections Victoria's Offender Management Framework
- ◆ Corrections Victoria's Sentence Management Manual
- ◆ Corrections Victoria's Operational Guidelines for Corrections Administration Permits, Rehabilitation and Transition Permits and Interstate Leave of Absence.

## 11.4 Legislation

The Prison General Manager will comply with:

- ◆ *Corrections Act 1986*, section 47(1)(l)
- ◆ Corrections Regulations 2009, regulations 22-26
- ◆ *Charter of Human Rights and Responsibilities Act 2006*.

## 11.5 References

The Prison General Manager will have regard to:

- ◆ Standard Guidelines for Corrections in Australia 2012 – 1.37-38, 2.2, 2.4-5
- ◆ Mothers and Children Program Commissioner's Requirement.

## 12 Structured prisoner day

### 12.1 Outcomes

A structured prisoner day is in place that reflects the principles outlined in the prisoner management standard.

### 12.2 Specified outputs

#### 12.2.1 Schedule

The Prison General Manager will ensure that prisoners have a schedule that provides:

- 1) the maximum number of out of cell hours which is consistent with the routine of the prison/unit in which they are housed, as well as the prisoner's individual regime. The minimum number of out of cell hours must be at least one hour per day and should be 12 hours per day except where special regimes are specifically authorised by the Commissioner, or where short-term circumstances render the provision of 12 hours out of cell time impracticable
- 2) for prisoners to be constructively engaged for a total of 30 hours per week in a range of industries, prison services, community work, offending behaviour and drug and alcohol programs, reintegration programs, vocational education and training programs and / or structured orientation programs which have been approved by the Commissioner.

The Prison General Manager will provide a structured prisoner day that:

- 1) maximises program and activity involvement by prisoners
- 2) recognises the needs of specific prisoner groups including:
  - a. Aboriginal and Torres Strait Islander prisoners
  - b. prisoners from culturally and linguistically diverse backgrounds
  - c. prisoners with a disability
  - d. vulnerable prisoners
  - e. protection prisoners
  - f. remand prisoners
  - g. prisoners in management and high security units
  - h. prisoners undergoing any treatment program targeted at reducing offending behaviour and/or drug-using behaviour.
  - i. pregnant prisoners and prisoners who are participating in the Mothers and Children Program.

### 12.3 Performance indicators

Service Delivery Outcomes

- ◆ out of cell hours
- ◆ proportion of prisoners engaged in purposeful activity.

### 12.4 Legislation

The Prison General Manager will comply with:

- ◆ *Corrections Act 1986*, s 47(1)(a)
- ◆ *Charter of Human Rights and Responsibilities Act 2006*.

## 13 Management of prisoners at risk of suicide or self-harm

### 13.1 Outcomes

Systems are in place that identify and respond to prisoners at risk of suicide or self-harm and, as far as possible, prevent incidents of self-harm and prisoner deaths due to unnatural causes.

### 13.2 Specified outputs

The Prison General Manager will develop appropriate strategies that include but are not limited to:

- 1) complying with guidelines and assessment tools, endorsed by the Commissioner, which assist staff in identifying prisoners who are at risk of suicide or self-harm
- 2) ensuring that all prisoners who are identified as being at risk of suicide or self-harm are:
  - a. immediately referred to a mental health professional for assessment
  - b. assessed within two hours of being so identified
  - c. appropriately managed and accommodated during the time between identification and assessment
- 3) providing systems of early reporting, assessment and management, as well as appropriately trained staff to assist prisoners in coping with stress
- 4) providing prisoners with access to personal development interventions, including assistance in resolving personal difficulties and crises
- 5) ensuring that the ongoing management of at risk prisoners is carried out by a multi-disciplinary team which develops a risk management plan and regularly reviews the status and management plan of at risk prisoners
- 6) ensuring that a risk management plan is clearly documented and addresses the following areas: level of risk, placement, level of observation, type and level of support to be provided, treatment plan, daily activities, significant issues (e.g. court dates, visits, anniversaries)
- 7) ensuring that an Aboriginal Wellbeing/Liaison Officer is involved in the development of risk management plans for Aboriginal or Torres Strait Islander prisoners.

The Prison General Manager will:

- 1) notify the Commissioner of self-harm risks and incidences incidents in accordance with incident reporting policy
- 2) monitor and analyse all incidents of self-harm and suicide at regular intervals to help identify trends, implement preventative measures, and inform the review process of policies and procedures.

### 13.3 Performance indicators

Service Delivery Outcomes:

- ◆ number of unnatural deaths
- ◆ number of self harm and attempted suicide incidents
- ◆ 'At Risk' assessments completed within two hours.

### 13.4 Policy requirements

The Prison General Manager will enforce and monitor the application of policies relating to safety and security as required by the Commissioner, including, but not limited to:

- ◆ Justice Health's Quality Framework 2011

### 13.5 Legislation

The Prison General Manager will comply with:

- ◆ *Corrections Act 1986*
- ◆ *Charter of Human Rights and Responsibilities Act 2006.*

## 13.6 References

The Prison General Manager will have regard to:

- ◆ Standard Guidelines for Corrections in Australia 2012 – 1.34, 2.18-20
- ◆ Final Report of the Royal Commission into Aboriginal Deaths in Custody, 1991 (findings and recommendations)
- ◆ Department of Justice's Cell and Fire Safety Guidelines
- ◆ Mothers and Children Program Commissioner's Requirement.

## 14 External escorts

### 14.1 Outcomes

Transportation of prisoners and, where relevant, children, occurs in a safe, secure and efficient manner, and under conditions appropriate to the level of security for all prisoners under escort and without unnecessary exposure to public view.

### 14.2 Specified outputs

#### 14.2.1 Transport arranged by the Commissioner

##### **Scheduled prisoner transport**

The Commissioner will arrange for a regular transportation service for prisoners between prisons and to and from court. The timing of the court transportation will enable prisoners to reach court in sufficient time for their hearing.

##### **High security escorts**

The Commissioner will maintain a list of prisoners identified as requiring a high security escort and organise the Security and Emergency Services Group to undertake all external movements for those prisoners.

#### 14.2.2 Transport arranged by the Prison General Manager

The Prison General Manager will provide a transportation and escort service for purposes other than those provided by the Commissioner, including:

- 1) unexpected transportation of prisoners to courts, tribunals or other hearings outside routine transportation regime, ensuring that prisoners are able to reach court in sufficient time for their hearing
- 2) escorts for medical or dental treatment or assessment
- 3) escorts as a condition of a Corrections Administration Permit or the Rehabilitation and Transition Permit Program
- 4) any other situations not covered in section 14.2.1 Transport arranged by the Commissioner.

#### 14.2.3 Safety, Security and Welfare

Prisoners will be transported and escorted in a professional and humane manner, that maintains the prisoner's dignity while taking into account relevant security requirements, and the safety of any person affected by the escort.

The Commissioner, for the purposes of section 14.2.1 above, and the Prison General Manager, for the purposes of section 14.2.2 above, will ensure that transportation complies with the Standard Guidelines for Corrections in Australia and the relevant Commissioner's requirements, including:

- 1) levels of restraint, accoutrements and staffing for each level of prisoner security escort
- 2) welfare checks and where appropriate the provision of food, hydration and comfort stops, where appropriate
- 3) suicide and self-harm prevention. When transporting prisoners with acute medical and/or psychiatric conditions, the Prison General Manager must seek the advice of the accredited health provider and satisfy any specific requirements
- 4) planning for emergencies and contingency events
- 5) ensuring that women prisoners who are six or more months pregnant are not restrained during escorts, unless exceptional circumstances apply

- 6) the use of an Australian standard child restraint when there are children accompanying a prisoner
- 7) processes to ensure that all required documents, and where appropriate property, accompany each prisoner transport.

In addition, prior to transporting a prisoner with a health and/or mental health issue, an assessment by the relevant forensic mental health or general health service provider regarding the prisoner's needs and fitness to travel must be conducted and subsequent transportation complies with the requirements outlined in the assessment.

### 14.3 Performance indicators

Service Delivery Outcomes:

- ◆ prisoner escapes.

### 14.4 Policy requirements

The Prison General Manager will enforce and monitor the application of policies relating to safety and security as required by the Commissioner, including, but not limited to the:

- ◆ Corrections Victoria's Sentence Management Manual
- ◆ Justice Health's Quality Framework 2011.

### 14.5 Legislation

The Prison General Manager will comply with:

- ◆ *Corrections Act 1986*, sections 21(1), 22A, 47(1)(b)(c), 55A-J, 56, 56AA and 57
- ◆ Corrections Regulations 2009, regulations 13-16 and 20
- ◆ *Charter of Human Rights and Responsibilities Act 2006*
- ◆ *Mental Health Act 1986*.

### 14.6 References

The Prison General Manager will have regard to:

Standard Guidelines for Corrections in Australia 2012 – 1.81-83.

## 15 Use of force, tactical options, instruments of restraint and chemical agents

### 15.1 Outcomes

Force, when used, is applied in accordance with section 23 of the *Corrections Act 1986* and is the minimum necessary for the minimum time to resolve the situation. Any instruments of restraint are used in a timely, appropriate and legal manner for the minimum time necessary.

A risk management approach is adopted in relation to the supervision and control of prisoners, with the safety of staff, prisoners and the community being paramount.

### 15.2 Specified outputs

#### 15.2.1 Use of force

##### Commissioner's Use of Force Philosophy

Reasonable force shall only be used in accordance with the law, where a situation cannot be resolved without reasonable force, and then only for the minimum time needed to reach resolution. Where force is used, it must be to ensure that no prisoner, officer, staff or member of the community is put at unnecessary risk. In every situation where force is used, a situational management approach will be employed to assess the tactical option used in order to minimise the risk of injury to all persons.

The Prison General Manager will:

- 1) ensure the use of force, instruments of restraint and chemical agents is consistent with the Commissioner's Use of Force Philosophy and requirements issued by the Commissioner
- 2) ensure that staff are trained to use a range of tactical options to assist in controlling prisoners and situations in order to minimise the need to use force to resolve such situations
- 3) use reasonable force only as a last resort to control prisoners where no other timely means of control is available
- 4) use only the minimum type and degree of force necessary to resolve the situation
- 5) ensure control and restraint techniques (including instruments of restraint and chemical agents) are approved by the Commissioner and used in accordance with the relevant requirements of the Commissioner
- 6) ensure that staff required to exercise the use of force have undergone relevant and appropriate training.

#### 15.2.2 Instruments of restraint

Prison General Managers must comply with the Commissioner's direction when:

- 1) ordering the removal of an instrument of restraint from a prisoner
- 2) ordering an examination by a medical practitioner of a prisoner to whom an instrument of restraint has been applied.

An instrument of restraint:

- 1)
- 2) may be used only as a last resort where the restraint of a prisoner is strictly necessary to maintain the security of the prisoner or prevent injury to a person
- 3) must be of the least restrictive type appropriate to the circumstances, having regard to the security and risk status of the prisoner and noting any medical conditions of the prisoner, including whether the prisoner is known to be pregnant
- 4) may be applied only for the minimum time necessary to control the prisoner

- 5) may be used only by staff who have undergone relevant and appropriate training
- 6) will be removed during medical tests and procedures provided this meets security and management requirements
- 7) shall not be applied to a women known to be pregnant without prior approval of the prison General Manager.
- 8) must not be applied beyond a cumulative period of 36 hours in any 96 hour period without the specific approval of the Commissioner
- 9) must be stored safely and securely.

### 15.2.3 Firearms

- 1) Firearms are not issued to staff in the women's system.
- 2) For the purposes of high security escorts, and in other exceptional circumstances, the carriage of firearms will be undertaken by appropriately trained and qualified members of the Security and Emergency Services Group.
- 3) The Prison General Manager will ensure that any firearms within the prison are stored in a safe, secure and lawful manner, and in accordance with any instructions issued by the Commissioner.

### 15.2.4 Chemical agents

A chemical agent:

- 1) may be used only as a last resort where it is strictly necessary to maintain the security of the prisoner or prison, or to prevent injury to a person
- 2) may be used only by staff who have undergone relevant and appropriate training
- 3) may be used only in accordance with the requirements of the Commissioner
- 4) must be stored safely and securely
- 5) must not be used on a prisoner who is known to be pregnant.

### 15.2.5 Tactical response

The Prison General Manager will:

- 1) provide an appropriate level of tactical response capability
- 2) ensure that staff are trained in emergency procedures and tactical options including the use of firearms, batons and oleoresin capsicum spray
- 3) ensure that staff are able to demonstrate the level of tactical response capability that may be required for the prisoner profile accommodated at the prison.

### 15.2.6 Reporting

The Prison General Manager will:

- 1) notify the Commissioner and record all incidents of the use of force, instruments of restraint and chemical agents in accordance with Commissioner's requirements
- 2) ensure all instruments of restraint and chemical agents have the written approval of the Commissioner prior to making those instruments or agents available for use for the purposes described in this section.

## 15.3 Legislation

The Prison General Manager will comply with:

- ◆ *Corrections Act 1986*, sections 23 and 55C-E
- ◆ Corrections Regulations 2009, regulations 8-16

- ◆ *Charter of Human Rights and Responsibilities Act 2006*
- ◆ *Control of Weapons Act 1990*
- ◆ *Dangerous Goods Act 1985*
- ◆ Dangerous Goods (Storage and Handling) Regulations 2000
- ◆ *Firearms Act 1996*
- ◆ *Crimes Act 1958.*

## 15.4 References

The Prison General Manager will have regard to:

- ◆ Standard Guidelines for Corrections in Australia 2012 – 1.55-64.

## 16 Disciplinary process

### 16.1 Outcomes

An effective, just, fair, consistent and expeditious procedure is in place for dealing with prison offences.

### 16.2 Specified outputs

#### 16.2.1 Powers

The Prison General Manager will:

- 1) only use prison officers identified and approved under their powers of delegation to act as a Disciplinary Officer.
- 2) only use prison officers identified, trained and approved under their powers of delegation to conduct a General Manager's Disciplinary Hearing.

#### 16.2.2 Prior approval of sanctions

The Prison General Manager will:

- 1) only apply sanctions that are permitted under the *Corrections Act 1986*, Part 7 Prison Discipline, as part of the disciplinary process
- 2) seek prior approval from the Commissioner for the withdrawal of prisoner's privileges as part of the disciplinary process
- 3) not apply collective sanctions
- 4) not employ prisoners in a disciplinary capacity.

#### 16.2.3 Withdrawal of privileges

The Prison General Manager will:

- 1) ensure, in accordance with sections 53 and 54A of the *Corrections Act 1986*, sanctions are not imposed before a prisoner is found guilty of a prison offence. A prisoner's privilege may only be withdrawn before a prisoner is found guilty of a prison offence if it is withdrawn by the Secretary of the Department of Justice, except where the offence is in breach of the Victorian Prisons Drug Strategy
- 2) ensure visit rights regarding a child under 16 years of age, and/or participation in the Mothers and Children Program, are not withdrawn for disciplinary purposes unless the child is considered to be at risk or a restriction has been imposed in accordance with a sanction under the Corrections Alcohol and Drug Strategy 2014.

#### 16.2.4 Reporting

The Prison General Manager will:

- 1) record all matters of a disciplinary nature and forward these reports to the Commissioner within five business days of the incident, as well as a summary of all incident reports to the Commissioner at the end of each month
- 2) ensure a General Manager's Disciplinary Hearing is held within 14 calendar days of the charge being laid or from the date of transfer if the prisoner is transferred within the period.

#### 16.2.5 Prisoner information

The Prison General Manager will:

- 1) inform prisoners of the procedures for making complaints concerning a disciplinary action, and ensure all prisoners have the ability to make such a complaint. This information must be

- provided in a form that is accessible and appropriate to the prisoner's abilities (including taking into account any sensory and cognitive disabilities) and in a language that the prisoner can understand
- 2) ensure prisoners subject to a hearing are informed no less than 72 hours prior to the hearing, in a form appropriate to their language and cognitive ability, of their right to have an interpreter or, in the case of prisoners with a cognitive impairment, an advocate present at the hearing
  - 3) provide a qualified and independent interpreter if requested by the prisoner
  - 4) ensure prisoners with a cognitive impairment are supported by the Office of the Public Advocate in General Manager's Disciplinary Hearings
  - 5) ensure Aboriginal and Torres Strait Islander prisoners are able to be supported by an Aboriginal Wellbeing Officer or Liaison Officer in General Manager's Disciplinary Hearings
  - 6) where a prisoner who is participating in the Mothers and Children Program is placed in separation and/or placed in a management and/or high security unit, assess the changed circumstances and determine any appropriate action with regard to the best interests of the child/ren in consultation with the Sentence Management Branch

### 16.3 Policy requirements

The Prison General Manager will enforce and monitor the application of policies relating to safety and security as required by the Commissioner, including, but not limited to the:

- ◆ Corrections Alcohol and Drug Strategy 2014.

### 16.4 Legislation

The Prison General Manager will comply with:

- ◆ *Corrections Act 1986*, part 7
- ◆ Corrections Regulations 2009, part 4
- ◆ *Charter of Human Rights and Responsibilities Act 2006*.

### 16.5 References

The Prison General Manager will have regard to:

- ◆ Standard Guidelines for Corrections in Australia 2012 – 165-70, 173-75
- ◆ Mothers and Children Program Commissioner's Requirement.

## 17 Separation of prisoners

### 17.1 Outcomes

Prisoners placed in separation and/or placed in a management or high security unit are managed under the least restrictive conditions consistent with the reason for separation and to the extent necessary to minimise the risk associated with that reason.

### 17.2 Specified outputs

Except for the specific requirements of this standard, all other standards contained in this document apply to prisoners who have been separated.

The Commissioner may authorise the placement of any prisoner in a management and/or high security unit pending investigation into an alleged prison or criminal offence.

Prisoners placed in management and/or high security units will be monitored by the Sentence Management Branch, who will seek the Commissioner's approval for long-term separation (30 days or more).

The Prison General Manager will:

- 1) provide for the separation of prisoners from other prisoners for management, protection or security reasons or pending investigation of an alleged offence or pending transfer to another prison for such a reason. This may include placement in a management or high security unit where such a facility exists within the prison
- 2) have the prior written approval of the Commissioner to separate a prisoner into a management, high security or observation cell. However, if in the Prison General Manager's reasonable assessment the immediate separation of a prisoner is required (such as in an emergency situation), the Prison General Manager may separate the prisoner before seeking this approval but must seek the endorsement of the Commissioner as soon as practical and in any case within 12 hours of the prisoner's separation
- 3) notify the Commissioner where a prisoner is separated as a result of a General Manager's Disciplinary Hearing under section 53 of the *Corrections Act 1986* within 12 hours of that separation
- 4) ensure that prisoners placed in management or high security cells receive their statutory minimum one hour out of cell
- 5) ensure that prisoners on separated regimes have access to work and programs that are appropriate to their period of placement, safety and sentence needs
- 6) provide Incentive Based Regimes for prisoners in management or high security cells to encourage appropriate behaviour and achieving and maintaining goals set out in their Local Plan
- 7) ensure that prisoners are informed of the reason for separation in a manner that is accessible and appropriate to the prisoner's abilities (including taking into account any sensory and cognitive disabilities) and in a language that the prisoner can understand
- 8) ensure that the prisoner is given a copy of the separation order within 12 hours of their separation
- 9) take actions to actively manage the prisoner's return to the main prison population
- 10) where a prisoner who is participating in the Mothers and Children Program is placed in separation and/or placed in a management and/or high security unit, assess the changed circumstances and determine any appropriate action with regard to the best interests of the child/ren in consultation with the Sentence Management Branch.

### 17.3 Policy requirements

The Secretary has the power under regulation 27 in the Corrections Regulations 2009 to make separation decisions. This power has been delegated to specific positions within Corrections Victoria

who have the authority to separate prisoners into separation regimes pursuant to delegations from the Secretary. These include, but are not limited to, positions within the Sentence Management Branch and prisons.

The Prison General Manager will enforce and monitor the application of policies relating to safety and security as required by the Commissioner, including, but not limited to the:

- ◆ Sentence Management Manual.

## 17.4 Legislation

The Prison General Manager will comply with:

- ◆ *Corrections Act 1986*, part 7
- ◆ Corrections Regulations 2009, regulation 27
- ◆ *Charter of Human Rights and Responsibilities Act 2006*.

## 17.5 References

The Prison General Manager will have regard to:

- ◆ Standard Guidelines for Corrections in Australia 2012 – 1.75-80, 2.19
- ◆ Mothers and Children Program Commissioner' s Requirement.

## 18 Incident reporting

### 18.1 Outcomes

All reportable and notifiable incidents are recorded and reported as required by the Commissioner.

### 18.2 Specified outputs

The Prison General Manager will comply with the requirements of the Commissioner in relation to reportable and notifiable incidents, including:

- 1) reporting all matters of a disciplinary nature
- 2) entering the details of all notifiable and reportable incidents onto the Commissioner's information systems within 24 hours
- 3) reporting all notifiable incidents within 30 minutes as per the Commissioner's Requirement for Incident Reporting
- 4) adhere to procedures to promptly notify the Victoria Police in the event of a prisoner escape in accordance with requirements of the Commissioner
- 5) providing detailed information of the incident that has occurred as per the requirements of the Commissioner
- 6) seek approval of any prisoner transfers, separations or internal movements that are not of a routine nature including external movements from a prison after lockdown
- 7) ensure that where prisoners are affected by or exposed to a serious incident they are offered support and counselling by an appropriately qualified professional.

#### 18.2.1 Notifiable incidents

Notifiable incidents are serious incidents that must to be reported within 30 minutes, as required by the Commissioner.

The details of all notifiable incidents are to be entered onto the Commissioner's information systems within 24 hours.

A list of notifiable incidents is included in the Commissioner's Requirement on Incident Reporting.

#### 18.2.2 Reportable incidents

Reportable incidents are those that are less significant than Notifiable Incidents but that require a formal report to be made.

The details of all reportable incidents are to be entered onto the Commissioner's information systems within 24 hours.

A list of reportable incidents is included in the Commissioner's Requirement on Incident Reporting.

### 18.3 Legislation

The Prison General Manager will comply with:

- ◆ *Corrections Act 1986*, section 20
- ◆ *Charter of Human Rights and Responsibilities Act 2006*
- ◆ *Emergency Management Act 1986*
- ◆ *Coroners Act 2008*.

## 19 Deaths in prison

### 19.1 Outcomes

Deaths due to unnatural causes are prevented as far as is possible within the power of the Prison General Manager.

Effective accountability is in place for deaths that do occur.

### 19.2 Specified outputs

The Prison General Manager will do all things necessary within their power and control to ensure that there are no deaths within the prison from unnatural causes.

Procedures for reporting and reviewing all deaths will be consistent with the Commissioner's Requirements for prisoner deaths and for incident reporting.

Following the death of a prisoner from either natural or apparently unnatural causes, which occurs while the prisoner is in the care and control of the Prison General Manager, the Prison General Manager will ensure that the response is as required by the Commissioner. This includes:

- 1) contacting Victoria Police on 000 immediately
- 2) notifying the Commissioner within 30 minutes
- 3) notifying the Victorian Aboriginal Legal Service as soon as practicable following the death of an Aboriginal or Torres Strait Islander prisoner
- 4) ensuring that the body of the deceased is treated with respect, taking into account their known cultural or religious beliefs
- 5) implementing procedures that comply with the process reviewing prisoner deaths, as established by the Commissioner
- 6) co-operating with the investigations carried out by Victoria Police, including those on behalf of the Coroner
- 7) ensuring that the Commissioner and the Office of Correctional Services Review have access to all relevant records, documentation, staff members and other information relevant to the review process
- 8) conducting an internal review of any death in prison, as directed by the Commissioner
- 9) ensuring processes are in place to offer support and counselling to staff and prisoners affected by the incident
- 10) implementing any agreed remedial actions or recommendations.

### 19.3 Performance indicators

Service Delivery Outcomes:

- ◆ number of unnatural deaths.

### 19.4 Legislation

The Prison General Manager will comply with:

- ◆ *Corrections Act 1986*
- ◆ Corrections Regulations 2009, regulation 39
- ◆ *Charter of Human Rights and Responsibilities Act 2006*
- ◆ *Coroners Act 2008*.

## 19.5 References

The Prison General Manager will have regard to:

- ◆ Standard Guidelines for Corrections in Australia 2012 –1.31-33, 2.43-45
- ◆ Final Report of the Royal Commission into Aboriginal Deaths in Custody 1991 (findings and recommendations).

## 20 Independent prison visitors

### 20.1 Outcomes

The Independent Prison Visitors appointed in accordance with the *Corrections Act 1986* have access to all parts of the prison, subject to the interests of security and management.

### 20.2 Specified outputs

The Prison General Manager will:

- 1) allow Independent Prison Visitors appointed in accordance with the *Corrections Act 1986* to have access to all parts of the prison, subject to the interests of security and management
- 2) liaise with the Office of the Correctional Services Review regarding the Independent Prison Visitors scheme
- 3) assist Independent Prison Visitors in the performance of their duties, including requests for visits
- 4) provide notice to prisoners and staff of upcoming visits and provide discreet interview facilities
- 5) provide detailed reasons to the Commissioner in the event that the Prison General Manager refuses permission for the Independent Prison Visitor to access the prison
- 6) permit prisoners to write to the Independent Prison Visitors
- 7) not allow Independent Prison Visitors to be on a prisoner's approved phone list
- 8) allocate a point of contact for Independent Prison Visitors
- 9) maintain the confidentiality of the Independent Prison Visitor scheme.

### 20.3 Legislation

The Prison General Manager will comply with:

- ◆ *Corrections Act 1986*, sections 35-36
- ◆ Corrections Regulations 2009, regulation 63
- ◆ *Charter of Human Rights and Responsibilities Act 2006*.

### 20.4 References

The Prison General Manager will have regard to:

- ◆ Standard Guidelines for Corrections in Australia 2012 – 3.21, 5.13, 5.18.

## 21 Emergency management, contingency planning and fire safety

### 21.1 Outcomes

Emergencies and disasters are responded to in an efficient, effective and timely manner.

### 21.2 Specified outputs

The Prison General Manager will:

- 1) maintain an emergency management plan (endorsed by the Commissioner) that contains effective procedures for emergency management, contingency planning and fire safety and ensures that potential risks are identified and responses are pre-planned and practiced, and which is reviewed and re-submitted to the Commissioner annually
- 2) implement procedures based on the State Emergency Response Plan, with the appropriate authorities including the Victoria Police, Country Fire Authority or Metropolitan Fire and Emergency Services Board and lodge those plans with the Commissioner
- 3) conduct joint practical exercises with those authorities including at least one practical exercise and two theoretical (tabletop) exercises annually
- 4) develop and maintain procedures for dealing with emergency situations such as, but not limited to, fire, natural disasters, bomb threat, hostage taking, riot, escapes, infectious outbreaks, power failures and industrial disputes
- 5) include a Bush Fire Preparedness Plan and Business Continuity Plan as part of the Emergency Management Plan and submit these plans to the Commissioner for noting on an annual basis
- 6) develop memorandums of understanding with the local emergency services regarding attendance and response to emergencies at the prison
- 7) comply with the risk management principles in the Cell and Fire Safety Guidelines, as they relate to the fire safety for correctional services, ensuring that:
  - a. regular risk evaluations and fire safety audits are undertaken using an appropriate risk management framework that addresses identification, analysis, assessment, maintenance, monitoring and review issues
  - b. a staff member is appointed as the Fire Awareness Officer and is responsible for ensuring the following fire safety matters are adequately managed and recorded as per the Commissioner's requirements: fire protection, suppression and detection systems, fire procedures, fire awareness, training equipment, and liaison with fire authorities
  - c. all staff receive ongoing competency based training in the use of fire equipment and procedures
  - d. all fire and safety equipment and systems are maintained to the approved standard and are fit for purpose in accordance with current building regulations
  - e. whatever actions necessary are implemented to safeguard fire and safety equipment and ensure all staff have access to such equipment
  - f. in the case of a prison emergency, key personnel are clearly identifiable to emergency services
  - g. a record of the review, testing and staff training or briefing is maintained.

### 21.3 Policy requirements

The Prison General Manager will enforce and monitor the application of policies relating to safety and security as required by the Commissioner, including, but not limited to the:

- ◆ Department of Justice's Cell and Fire Safety Guidelines.

## 21.4 Legislation

The Prison General Manager will comply with:

- ◆ *Corrections Act 1986*
- ◆ Corrections Regulations 2009, regulation 19
- ◆ *Charter of Human Rights and Responsibilities Act 2006*
- ◆ *Emergency Management Act 1986*
- ◆ *Dangerous Goods Act 1985*
- ◆ Dangerous Goods (Storage and Handling) Regulations 2012
- ◆ *Occupational Health and Safety Act 2004*
- ◆ *Essential Services Act 1958*
- ◆ *Public Safety Preservation Act 1958*.

## 21.5 References

The Prison General Manager will have regard to:

- ◆ Standard Guidelines for Corrections in Australia 2012 – 1.29, 5.12
- ◆ Code of Practice for the Storage and Handling of Dangerous Goods (2013).

## PART C: PROGRAMS AND REINTEGRATION SERVICES

Women have distinct criminogenic and other needs that impact on their offending behaviour, for example, issues relating to family relationships, past victimisation and self-esteem. Further, gender differences influence the way that women respond to interventions across a variety of disciplines and practices. Acknowledging women's distinct needs, characteristics and life experiences in program development and delivery is critical to ensuring successful rehabilitation outcomes.

The following research-based principles should be incorporated in the development and delivery of programs contributing to the rehabilitation of women prisoners:

- ◆ programs should be holistic and integrated, addressing multiple needs simultaneously
- ◆ programs should foster the development of trusting relationships between program staff and participants
- ◆ programs should be conducted in a safe environment, with clear boundaries and expectations
- ◆ programs should actively encourage women to accept responsibility for their actions, should acknowledge the centrality of women's roles as caregivers and offer practical assistance as required
- ◆ interventions should be multi-modal, incorporating cognitive, affective and behavioural approaches, provided in all-women group settings and utilising individual counselling as appropriate.

Given the complex association between criminogenic and non-criminogenic risk factors which contribute to women's offending, wellbeing and rehabilitation objectives are often mutually dependent.

## 22 Offending behaviour programs

### 22.1 Outcomes

Sentenced and dual status prisoners have appropriate access to evidence-based programs that target criminogenic needs and support Corrections Victoria's Offender Management Framework.

Program content acknowledges the distinct criminogenic needs of women prisoners, relating to issues such as family, self-esteem and experiences of victimisation, while program delivery takes account of specific responsivity factors for women such as the importance of relationships, the need to address multiple needs simultaneously, and the centrality of women's roles as caregivers.

### 22.2 Specified outputs

The Prison General Manager will:

- 1) assess prisoners' risk of reoffending and criminogenic needs utilising an assessment tool or tools approved by the Commissioner, following the prisoner's initial reception into custody or upon becoming sentenced
- 2) provide a range of offending behaviour programs (such as cognitive skills, substance abuse and violent behaviour) at varying intensities that allow sentenced prisoners, including dual status prisoners, to address issues relating to their offending appropriate to their level of risk of reoffending and criminogenic needs as determined by screening and assessment tools approved by the Commissioner
- 3) ensure that offending behaviour programs use methodologies that reflect women's needs and experiences, and include both individual and group based learning methodologies
- 4) ensure that treatment interventions delivered have been accredited in accordance with the Corrections Victoria's Intervention Accreditation Model and associated requirements
- 5) ensure that treatment interventions are delivered in accordance with the accredited specifications and manual for the relevant intervention and that intervention and operational integrity is sustained

- 6) ensure that offending behaviour programs are delivered by adequately supervised staff with relevant qualifications and experience in the delivery of such interventions
- 7) allow all sentenced and dual status prisoners, regardless of accommodation type, or profile, to have access to offending behaviour programs
- 8) provide an environment that is conducive to prisoners addressing their offending behaviours and facilitate prisoner involvement in offending behaviour programs as part of the Structured Prisoner Day
- 9) evaluate the effectiveness of offending behaviour programs delivered, including participating in and cooperating with Corrections Victoria's evaluation and quality assurance process for offending behaviour programs in accordance with the Interventions Accreditation Model
- 10) record relevant information on the prisoner's Individual Management File, the Offending Behaviour Program File, and/or the Commissioner's information systems as required
- 11) utilise the Commissioner's information systems for recording, monitoring and reporting on offending behaviour program service delivery and for managing referral, intake, assessment and access to offending behaviour programs at the prison.

## 22.3 Performance indicators

Service Delivery Outcomes:

- ◆ proportion of prisoners completing an offence specific treatment program addressing prisoner need – as a proportion of all prisoners commencing the program
- ◆ percentage of scheduled programs actually delivered.

## 22.4 Policy requirements

The Prison General Manager will enforce and monitor the application of policies relating to the delivery of offending behaviour programs as required by the Commissioner, including, but not limited to:

- ◆ Corrections Victoria's Offender Management Framework
- ◆ Corrections Victoria's Intervention Accreditation Model
- ◆ Corrections Victoria Accreditation Process
- ◆ Specifications for particular offending behaviour programs as accredited according to the Corrections Victoria, Intervention Accreditation Model.

## 22.5 Legislation

The Prison General Manager will comply with:

- ◆ *Corrections Act 1986*
- ◆ Corrections Regulations 2009
- ◆ *Charter of Human Rights and Responsibilities Act 2006*.

## 22.6 References

The Prison General Manager will have regard to the following:

- ◆ Standard Guidelines for Corrections in Australia 2012 – 3.7, 3.10, 3.11, 5.5
- ◆ Corrections Victoria Reducing Re-offending Framework: Setting the Scene (2004)
- ◆ Corrective Services Administrators Council – Australian Offender Program and Facilitation Standards.

## 23 Drug and alcohol treatment services

### 23.1 Outcomes

Drug and alcohol treatment services are provided which:

- ◆ assist in reducing the demand for illicit drug use in prisons
- ◆ minimise the harms associated with substance use in prisons and upon release
- ◆ reduce relapse upon release
- ◆ aim to reduce the risk of re-offending associated with substance use upon return to the community.

### 23.2 Specified outputs

#### 23.2.1 Implementation and program delivery

The Prison General Manager will ensure that drug and alcohol treatment services:

- 1) are available in accordance with agreed or contracted provision
- 2) are coordinated with the other prison programs, through joint protocols and liaison, so that prisoners' needs are addressed in a consistent and integrated manner
- 3) provide links to community-based programs that can offer ongoing support to the program participants after release
- 4) actively promote and disseminate information about the prison drug and alcohol treatment services to custodial and other staff.

#### 23.2.2 Treatment outputs

The specific nature and quantity of drug treatment and harm reduction programs will be in accordance with the agreed or contracted treatment provision.

### 23.3 Performance indicators

Service Delivery Outcomes:

- ◆ percentage of prisoners who attend the Level 1 substance abuse awareness program
- ◆ number of prisoners completing Level IV and V program / treatment – to be included in calculation of proportion of completions of Offender Behaviour Programs
- ◆ percentage of scheduled programs actually delivered.

### 23.4 Policy requirements

The Prison General Manager will enforce and monitor the application of policies relating to drug and alcohol treatment services as required by the Commissioner, including, but not limited to:

- ◆ Corrections Alcohol and Drug Strategy 2014
- ◆ Corrections Victoria's Transition Assistance Program Manual – Drug and Alcohol Module
- ◆ Corrections Victoria's Offender Management Framework
- ◆ Specifications for Drug and Alcohol Treatment Services.

### 23.5 Legislation

The Prison General Manager will comply with:

- ◆ *Corrections Act 1986*

- ◆ Corrections Regulations 2009
- ◆ *Charter of Human Rights and Responsibilities Act 2006*
- ◆ *Health Records Act 2001*.

## 23.6 References

The Prison General Manager will have regard to:

- ◆ Standard Guidelines for Corrections in Australia 2012 – 2.29, 2.30, 3.7, 3.10, 3.11, 5.5
- ◆ Victorian Prison Opioid Substitution Therapy Program 2003: Clinical and Operational Policy and Procedures.

## 24 Education and vocational training

### 24.1 Outcomes

All prisoners are given opportunities to develop literacy and numeracy skills and vocational skills necessary for effective participation in the labour market to assist them to gain employment post release, and thereby reduce the likelihood of re-offending.

Education and training provision reflects the diversity of needs, experiences and life-paths of women prisoners, and uses teaching methodologies that suit women's learning styles.

### 24.2 Specified outputs

The Prison General Manager will:

- 1) encourage all prisoners to avail themselves of vocational education and training and facilitate prisoner involvement in approved education and training as part of the Structured Prisoner Day
- 2) offer a language literacy and numeracy assessment, using an assessment tool approved by the Commissioner, in relation to all:
  - a. prisoners who, at reception into prison, report being unemployed and having not completed year 12 or equivalent
  - b. Aboriginal and Torres Strait Islander prisoners
  - c. prisoners who are under the age of 25 years
  - d. prisoners who participate in vocational education and training
- 3) provide vocational counselling to all prisoners identified within the target groups specified in the education and training strategies issued by the Commissioner who wish to engage in education and develop a Learning Plan, using the template specified by the Commissioner
- 4) review a prisoner's Learning Plan
  - a. every 12 months
  - b. upon completion of a course and whenever a prisoner with an existing Learning Plan transfers to the prison
  - c. when a prisoner indicates a desire to change their vocational goals.

The Prison General Manager will provide nationally recognised vocational education and training programs which:

- 1) are based on assessed educational and vocational needs, current labour market demands, and provide relevant vocational and "employability" skill development and include
  - a. courses and qualifications nominated by the Commissioner
  - b. any other courses that reflect the needs of the prisoner population and are approved by the Commissioner
- 2) prioritise individual access according to assessed educational and/or vocational needs and provide overall service provision levels in accordance with the funding available for vocational education and training
- 3) are gender responsive and include traditional and non-traditional skill areas
- 4) are age appropriate
- 5) are culturally sensitive and cater to the needs of a range of individuals and groups including Aboriginal and Torres Strait Islander prisoners, culturally and linguistically diverse prisoners and prisoners with disabilities (sensory and cognitive)
- 6) when possible ensure that all prisoner groups, regardless of their placement, are able to access accredited vocational education and training programs
- 7) meet the requirements of the Australian Qualifications Framework and:

- a. are delivered by registered training organisations who have been registered with the Victorian Registration and Qualifications Authority or the Australian Skills Quality Authority
  - b. are consistent with identified individual employment, education and training needs and current labour market requirements
  - c. ensure direct links with other prison and community based education providers, enabling prisoners to continue training as they move through the prison system and back into the community
  - d. include Recognition of Prior Learning and competency based training
  - e. are delivered by persons with appropriate teaching qualifications and experience
  - f. are based on adult learning and flexible delivery principles
  - g. where possible are integrated with, or complement, other prison activities such as programs, prison industries, and transition assistance
- 8) prioritise access to accredited adult basic education courses that are consistent with best practice principles
  - 9) prioritise access to the target groups specified in by the Commissioner
  - 10) consider a prisoner's offence history when determining the courses in which a prisoner is suitable to participate
  - 11) where assessed as meeting a prisoner's rehabilitation, education and vocational needs, allow prisoners to pursue approved distance education studies
  - 12) ensure that any prisoner participating in full-time study demonstrates the application and capacity to undertake such a course, and that the study will result in a benefit for the prisoner and is consistent with their rehabilitation needs
  - 13) ensuring that all education staff working in prisons have satisfactorily completed a criminal history check, obtained a security pass and undertaken a Prison Orientation Program
  - 14) In prisoners undertaking full-time study will be exempt from work
  - 15) provide prisoners with a level of remuneration which is comparable to their participation in work
  - 16) if provided by community agencies or resources, are regularly assessed and monitored.

The Prison General Manager will record a prisoner's language, literacy and numeracy assessment results, vocational counselling outcomes, and education and training enrolments, activity and outcomes on their Individual Management File and on the Integrated Justice System and any other relevant Commissioner's information system.

### 24.2.1 Interface with Prison industries

The Prison General Manager will:

- 1) ensure that, prior to commencement in industries, all prisoners complete occupational health and safety training and industry-based occupational health and safety induction, as approved by the Commissioner
- 2) integrate vocational training with prison industries by providing opportunities for practical experience in an industry environment along with formal instruction, assessment and recognised qualifications.

## 24.3 Performance indicators

Service Delivery Outcomes:

- ◆ vocational and educational training participation
- ◆ education and training unit of competency completions.

## 24.4 Policy requirements

The Prison General Manager will enforce and monitor the application of policies relating to education and vocational training as required by the Commissioner, including, but not limited to:

- ◆ Corrections Victoria's Education and Training Strategy
- ◆ Corrections Victoria's Koori Education Training and Employment Strategy
- ◆ Corrections Victoria's Offender Management Framework
- ◆ Australian Qualifications Framework
- ◆ Australian Quality Training Framework
- ◆ Standards for National Vocational Education and Training Regulator Registered Training Organisations 2012.

## 24.5 Legislation

The Prison General Manager will comply with:

- ◆ *Corrections Act 1986*
- ◆ *Charter of Human Rights and Responsibilities Act 2006*
- ◆ *Occupational Health and Safety Act 2004*
- ◆ *Education, Training and Reform Act 2006.*

## 24.6 References

The Prison General Manager will have regard to:

- ◆ Standard Guidelines for Corrections in Australia 2012 – 1.14, 2.54-55, 3.6, 3.8-9, 3.12
- ◆ Corrections Victoria's Industry Skills Centre Program Blueprint 2012-13
- ◆ National Strategy for Vocational Education for Adult Prisoners and Offenders in Australia 2006.

## 25 Prison industries

### 25.1 Outcomes

All prisoners are given opportunities to develop work skills to assist them to gain employment after release, and thereby reduce the likelihood of re-offending.

Prison industries also provide opportunities to further develop transferable, employability skills.

### 25.2 Specified outputs

The Prison General Manager will support the provision of industries which:

- 1) allow all sentenced prisoners to work and offer unconvicted prisoners the opportunity to work
- 2) give prisoners who are separated for management, discipline or health reasons the opportunity to work, subject to the safety and security of the prison
- 3) provide employment opportunities for prisoners with disabilities
- 4) permit prisoners to work in prison services such as kitchen, laundry, cleaning, maintenance and gardening
- 5) ensure that the nature of work assists prisoners to gain skills which will enhance their chances of employment on release and, where practicable:
  - a. ensure work is integrated with accredited training
  - b. allow and facilitate prisoner participation in accredited training associated with their work in accordance with their identified employment, education and training needs
  - c. ensure work reflects labour market trends and industry needs including use of current technologies
  - d. ensure work reflects labour market trends and industry needs, and is responsive to the needs, experiences and life paths of women
  - e. takes into account the barriers faced by women in gaining employment (including the impact of having a criminal record)
- 6) exempt prisoners who are 65 years of age and over from work
- 7) exempt prisoners who are sick or an in-patient in a Forensic Mental Health Service facility, from work for the duration of such illness where supported by documentation from a medical practitioner
- 8) provide prisoners who are unable to participate in work due to age or health limitations with the opportunity to participate in alternative activities according to their capabilities
- 9) allow and facilitate flexible working arrangements for women prisoners who are pregnant (e.g. maternity leave), or have a child in prison but choose to work (e.g. carer's leave)
- 10) allow, where it is safe to do so and in the best interests of the child, a female prisoner participating in the Mothers and Children Program to have her child accompany her at the industry worksite
- 11) pay remuneration to prisoners for work performed at a rate approved by the Commissioner
- 12) ensure that all income from industries is kept separate from the income of the prison operator
- 13) ensure that a separate set of accounts is maintained to record the income and expenses of the industries
- 14) ensure that any profit from the industries is reinvested in the industries or expended in a manner as approved by the Secretary, Department of Justice
- 15) ensure staff are competent in the management and supervision of the prison industries they are supervising and that industries are conducted to reflect standards of best practice
- 16) record details of each prisoner's work in their Individual Management File

- 17) ensure that prior to commencement in industries, all prisoners complete the Commissioner approved Occupational Health and Safety (OHS) training and Prison industry-based OHS induction
- 18) record each prisoner's occupational health and safety training completion in the Commissioner's information systems
- 19) ensure that any incidents/accidents which occur within the workplace are reported and recorded as per the Commissioner's incident management requirements
- 20) allow prisoners to be constructively engaged for a total of 60 hours a fortnight in industries, education and/or approved rehabilitation programs.

## 25.3 Performance indicators

Service Delivery Outcome

- ◆ Proportion of prisoners engaged in purposeful activity

## 25.4 Legislation

The Prison General Manager will comply with:

- ◆ *Corrections Act 1986, part 8B*
- ◆ Corrections Regulations 2009, regulations 40-41
- ◆ *Charter of Human Rights and Responsibilities Act 2006*
- ◆ *Occupational Health and Safety Act 2004*
- ◆ Occupational Health and Safety Regulations 2007.

## 25.5 References

The Prison General Manager will have regard to:

- ◆ Standard Guidelines for Corrections in Australia 2012 – 1.13-14, 4.1-15
- ◆ National Code of Practice on Prison Industries
- ◆ National Competition Policy
- ◆ Mothers and Children Program Commissioner's Requirement

## 26 Personal development and life skills programs

### 26.1 Outcomes

Prisoners are provided with access to personal development programs, including assistance in resolving personal difficulties and crises.

### 26.2 Specified outputs

In order to achieve the above, the Prison General Manager will provide:

- 1) a range of culturally and gender responsive programs to meet the biological, social, psychological and spiritual needs of prisoners
- 2) personal development and life skills programs that provide prisoners with opportunities to develop and improve their knowledge, insights and skills, assisting them in their daily life while in prison and upon release into the community
- 3) appropriately trained professional staff to assist prisoners in resolving difficulties and crises, and addressing self esteem
- 4) programs that build on parenting strengths and skills, and increase knowledge of parenting support services available in the community
- 5) access to personal development and life skills programs for all prisoners, regardless of profile, based on individualised assessment, that:
  - a. acknowledge the unique needs, experiences and pathways of women prisoners, including past experiences of trauma, abuse and loss
  - b. offer prisoners a better chance of a secure, fulfilled and productive life.

### 26.3 Legislation

The Prison General Manager will comply with:

- ◆ *Charter of Human Rights and Responsibilities Act 2006.*

### 26.4 References

The Prison General Manager will have regard to:

- ◆ Standard Guidelines for Corrections in Australia 2012 – 1.15, 2.52-55.

## 27 Personal visits

### 27.1 Outcomes

Prison programs, services and procedures reflect the centrality of women's roles as mothers and caregivers, promote the maintenance and strengthening of relationships with family and friends and recognise the grief and anxiety associated with separation from children.

The Mothers and Children Program aims to diminish the impact of the mother's imprisonment on her dependent child/ren. The program supports the family ties that are essential to the effective rehabilitation of mothers and their successful reintegration into the community upon release.

### 27.2 Specified Outputs

The Prison General Manager will:

- 1) provide access to reception and orientation programs that assist women with any concerns in relation to the welfare of their children and encourage women to strengthen and maintain contact with their children during and after their imprisonment
- 2) encourage contact between prisoners and their family/friends by facilitating access to a range of communication options, including mail and telephone
- 3) promote regular access to a visits program that assists and encourages prisoners to maintain positive and supportive relationships with family and friends and the general community
- 4) where appropriate, provide the option of residential visits at prisons where appropriate facilities exist, in accordance with the requirements and guidelines issued by the Commissioner
- 5) provide access to prison-based family parenting and reunification programs (including the Mothers and Children Program), that cater to culturally diverse backgrounds
- 6) provide a prison environment that is appropriate for visiting children as well as those participating in the Mothers and Children Program, and promotes healthy relationships between mothers/primary caregivers and children
- 7) ensure that family visit facilities are appropriate for children, well maintained, safe, and provide relevant items and materials for prisoners and their families
- 8) provide access to the Corrections Administration Rehabilitation and Transition Permit or the Interstate Leave of Absence Permit Program, which acknowledges the importance of family ties
- 9) acknowledge the particular importance for Aboriginal and Torres Strait Islander women of obligations to family and community, including extended kinship ties
- 10) support the ongoing development and establishment of programs and services that reflect the centrality of women's roles as mothers and caregivers and promote the maintenance and strengthening of family relationships.

### 27.3 Policy Requirements

#### Personal Visits

The minimum requirements for personal visits are:

- 1) one non-contact visit per week of at least 30 minutes duration for those prisoners ineligible for contact visits
- 2) one contact visit per week of at least 60 minutes duration, for those prisoners eligible for contact visits
- 3) treat all visitors with courtesy and with due regard to the safety, privacy and dignity of visitors and prisoners.

Residential visits may be provided at prisons where appropriate facilities exist, in accordance with the requirements and guidelines issued by the Commissioner.

Should a restricted access prisoner wish to receive visits from a child, they should make an application as required by the Commissioner.

### Mothers and Children Program

The Prison General Manager will make a recommendation to the Commissioner based on an assessment of a prisoner's application to have her child(ren) with her in prison. The assessment will be carried out by the Mothers and Children Program Support Worker. The assessment should be based on the best interests of the child and will be completed and forwarded to the Prison Manager as soon as practicable following receipt of the application. As outlined in the content and process requirements of the Commissioner, this assessment must cover all areas relevant to the decision, including factors related to:

- 1) the applicant, the nature of her offence/s, behaviour in prison and the reason for her request
- 2) the child(ren), including the nature of the parent/child relationship, and other family support structures including current placement and legal status
- 3) the ability of the prison to provide suitable accommodation and services for the child(ren)
- 4) evidence of contact with Child Protection Services, Department of Human Services.

Where a female prisoner is pregnant, a decision in relation to their application for the unborn child to be accommodated within the prison must, wherever possible, be made prior to the birth.

## 27.4 Legislation

The Prison General Manager will comply with:

- ◆ *Corrections Act 1986*, sections 33, 37-39, 42-43 and 47(1)(k)
- ◆ *Corrections Regulations 2009*, regulations 64-68
- ◆ *Charter of Human Rights and Responsibilities Act 2006*.

## 27.5 References

The Prison Manager will have regard to:

- ◆ Standard Guidelines for Corrections in Australia (2012), 2.53-56, 3.21-24, 3.26-31
- ◆ Mothers and Children Program Commissioner's Requirement
- ◆ Visits by Children to Restricted Access Prisoners Policy.

## 28 Professional visits

### 28.1 Outcomes

Prisoners are able to have confidential meetings with professional visitors.

### 28.2 Specified outputs

Professional visitors include, but are not limited to:

- 1) lawyers acting on behalf of a prisoner
- 2) members of the Adult Parole Board
- 3) staff from the Office of the Ombudsman
- 4) staff from the Office of the Public Advocate
- 5) Health Services Commissioner
- 6) consular officials
- 7) Victoria Police members
- 8) Independent Prison Visitors
- 9) Chaplains
- 10) Community Corrections Officers.

The Prison General Manager will ensure that professional visits:

- 1) allow for confidential discussion between the prisoner and visitor
- 2) are additional to personal visit entitlements
- 3) access visits between Department of Human Services staff, children and prisoners take place in an environment that is appropriate for children and beneficial to the relationship between mothers and/or primary caregivers and children.

### 28.3 Legislation

The Prison General Manager will comply with:

- ◆ *Corrections Act 1986*, sections 33-34 and 40-43
- ◆ Corrections Regulations 2009, regulations 60-63, 65 and 66-68
- ◆ *Charter of Human Rights and Responsibilities Act 2006*
- ◆ *Crimes Act 1958*.

### 28.4 References

The Prison General Manager will have regard to:

- ◆ Standard Guidelines for Corrections in Australia 2012 – 1.17, 3.35
- ◆ Vienna Convention on Consular Relations 1963.

## Transition and reintegration

Release from prison and the following months can be a traumatic and stressful time; in addition to the risk of reoffending, women may be exposed to a range of offender-related situations, including drug use.

Pre-release programs and services assist women to re-establish relationships in the community and provide practical assistance and support, based on individually assessed needs. Inter-agency partnerships and the use of community-based services are vital for ensuring continuity of care and reducing the likelihood of reoffending.

Post-release support for high risk and needs women exiting prison should include access to community agencies for a range of available services, including drug treatment, accommodation, family violence and sexual assault services, health, legal assistance, education, training and employment, family reconciliation and childcare.

## 29 Preparation for release

### 29.1 Outcomes

Prisoners are prepared for release with the aim of promoting re-integration and reducing re-offending.

### 29.2 Specified outputs

In order to achieve the above, the Prison General Manager will:

- 1) systematically prepare remand prisoners prior to their release, including:
  - a. delivering pre-release programs endorsed by the Commissioner to all remand prisoners likely to be released from court
  - b. recording participation as required, in the Commissioner's information systems
  - c. ensure the provision of the Commissioner's endorsed remand release program regarding available post-release supports and contact details for remand prisoners who may be released directly from court
- 2) systematically prepare sentenced prisoners prior to their release, including:
  - a. developing and documenting pre-release and exit plans in the prisoner's Individual Management File, taking into account the prisoner's assessed risk and needs associated with transition from custody to the community
  - b. delivering pre-release programs endorsed by the Commissioner to all sentenced prisoners
  - c. recording participation as required, in the Commissioner's information systems and on the prisoner's Individual Management File
- 3) where prisoners are being released to Community Correctional Services:
  - a. provide them with information regarding their Order and reporting Community Correctional Services location
  - b. arrange an induction appointment at their supervising location
  - c. facilitate communication between the prisoner and their Community Correctional Services case manager prior to release either via telephone, videoconference or in person
  - d. ensure that the receiving Community Correctional Services location receives a copy of the Pre-Release Summary prior to the release of the prisoner
- 4) make referrals to community agencies appropriate to the prisoner's assessed transitional risks and needs and facilitate access to community agencies to deliver transitional services
- 5) ensure that pre-release programs are relevant and appropriate to prisoner needs, are gender responsive and staff work collaboratively with community agencies for prisoners who are eligible for post-release services

- 6) ensure that pre-release planning considers immediate financial support upon release taking into account discharge of monies owed to prisoners, Centrelink entitlements, and an appropriate balance of cash and cheques
- 7) make special arrangements for releases outside standard operating hours
- 8) designate a staff member to participate in the Transitional Assistance Program Co-ordinator Network

### 29.3 Performance indicators

Service Delivery Outcomes:

- ◆ percentage of eligible released prisoners who completed the Transitional Assistance Program, as a proportion of eligible released prisoners
- ◆ percentage of eligible released prisoners who received a Transitional Assistance Program Assessment within the specified timeframe, as a proportion of eligible released prisoners who completed Transitional Assistance Program
- ◆ percentage of eligible prisoners transferred within the final four weeks of their sentence who received a Transitional Assistance Program Assessment prior to transfer, as a proportion of all eligible prisoners transferred within the final four weeks of sentence
- ◆ percentage of remand prisoners who attend a Remand Release Assistance Program within 10 business days of reception.

### 29.4 Policy requirements

The Prison General Manager will enforce and monitor the application of policies relating to Preparation for Release programs and services as required by the Commissioner, including, but not limited to:

- ◆ Corrections Victoria's Transitional Assistance Program Manual
- ◆ Corrections Victoria's Remand Release Assistance Program Manual
- ◆ Corrections Victoria's Offender Management Framework
- ◆ Program Protocol between the Commonwealth of Australia (represented by the Department of Human Services) and the Commissioner of Victoria (acting through the Department of Justice, Corrections Victoria).

### 29.5 Legislation

The Prison General Manager will comply with:

- ◆ *Charter of Human Rights and Responsibilities Act 2006.*

### 29.6 References

The Prison General Manager will have regard to:

- ◆ Standard Guidelines for Corrections in Australia 2012 – 3.15-19.

## 30 Release of prisoners

### 30.1 Outcomes

Each prisoner is released on the correct date as notified by the Commissioner.

### 30.2 Specified outputs

#### 30.2.1 Sentenced prisoners

The Prison General Manager will:

- 1) have trained staff available 24 hours a day, seven days a week responsible for discharging sentenced prisoners as authorised by the Commissioner
- 2) release each prisoner on the correct date, being the date notified in writing to the Prison General Manager by the Commissioner.

Prior to the prisoner's release, the Prison General Manager will:

- 1) obtain and receive written confirmation from the Commissioner that the prisoner is due for release on the specified date
- 2) clearly identify the prisoner
- 3) return the prisoner's personal property and money to them in an appropriate package
- 4) provide the prisoner with pre-release information approved by the Commissioner in a form that is accessible and appropriate to the prisoner's abilities (taking into account any sensory and cognitive disabilities) and in a language that the prisoner can understand
- 5) provide the prisoner with identification document(s), to assist or facilitate their return to the community
- 6) provide the prisoner with appropriate travel assistance upon their release according to the requirements of the Commissioner.

#### 30.2.2 Remand prisoners

For remand prisoners who are not also undergoing a sentence of imprisonment, the Prison General Manager must:

- 1) release a prisoner when directed or permitted by a member of the Victorian judiciary or by the Commissioner
- 2) prior to release:
  - a. clearly identify the prisoner
  - b. ensure there are no outstanding warrants or orders of imprisonment or remand
  - c. return the prisoner's personal property and money to them in an appropriate package, or if released from Court, allow the prisoner to make arrangements to collect their personal property and money
  - d. make pre-release information approved by the Commissioner available to prisoners
  - e. make the prisoner's identification document(s) available to assist or facilitate the prisoner's return to the community
  - f. provide prisoners with confirmation of their custody duration and release to assist in Centrelink applications or obtaining other forms of assistance
- 3) release each prisoner on the correct date being the date on which the conditions of the prisoner's bail are satisfied in full
- 4) if the prisoner is released from prison, provide the prisoner with appropriate travel assistance upon their release according to the requirements of the Commissioner.

### 30.2.3 All prisoners

The Prison General Manager will:

- 1) view and record release information on the Individual Management File and the Commissioner's information systems
- 2) formally notify registrable sex offenders of their reporting obligations under the *Sex Offenders Registration Act 2004*
- 3) ensure that comprehensive discharge planning is in place for all prisoners requiring ongoing health care
- 4) record and report all incidents of unlawful detention and incorrect releases in accordance with the requirements of the Commissioner.

## 30.3 Policy requirements

The Prison General Manager will enforce and monitor the application of policies relating to the release of prisoners as required by the Commissioner, including, but not limited to:

- ◆ Justice Health Quality Framework 2011.

## 30.4 Legislation

The Prison General Manager will comply with:

- ◆ *Corrections Act 1986*
- ◆ Corrections Regulations 2009, regulations 79-80 and 84
- ◆ *Sex Offenders Registration Act 2004*
- ◆ *Charter of Human Rights and Responsibilities Act 2006*.

## 30.5 References

The Prison General Manager will have regard to:

- ◆ Standard Guidelines for Corrections in Australia 2012 – 1.20, 3.18.

## 31 Community involvement

### 31.1 Outcomes

Prisons are promoted as part of the community by the development of linkages with community agencies and the fostering of appropriate support networks and continuity of care for women prisoners while in custody and post release is encouraged.

### 31.2 Specified outputs

The Prison General Manager will:

- 1) promote community involvement in the prison and encourage community agencies to provide a range of responsive and culturally appropriate programs and support services to prisoners
- 2) pursue opportunities to contribute to and assist the community
- 3) provide opportunities for prisoners to make reparation to the community where this is consistent with community safety
- 4) have procedures in place which are consistent with those prescribed by the relevant legislation to allow eligible prisoners to exercise their right and responsibility to enrol and vote, should they choose to do so
- 5) provide information to enable eligible prisoners to enrol and vote
- 6) take into account:
  - a. the importance of providing prison based services that promote continuity of care through access to services post release
  - b. the central role that relationships play in the lives of women, and the importance of maintaining existing community linkages as well as establishing new support networks
  - c. the range of community and government agencies that women prisoners are likely to access while in prison and post-release, including services that relate to their role as primary caregivers
  - d. the importance of both professional services and services that offer personal support, friendship and positive female role models.

### 31.3 Legislation

The Prison General Manager will enforce and monitor the application of policies relating to the release of prisoners as required by the Commissioner, including, but not limited to:

- ◆ *Charter of Human Rights and Responsibilities Act 2006*
- ◆ *Constitution Act 1975*, section 48(2)b
- ◆ *Electoral Act 2002*
- ◆ *Commonwealth Electoral Act 1918*, sections 93(8)(8AA), and 96A.

### 31.4 References

The Prison General Manager will have regard to:

- ◆ Standard Guidelines for Corrections in Australia 2012 – 3.20-21, 4.14-15, 5.9-10, 5.12-14.

## 32 Temporary absence from prison

### 32.1 Outcomes

Provision is made for prisoners to be temporarily absent from the prison under a Corrections Administration Permit or Rehabilitation and Transition Permit under the auspices of the Custodial Community Permit Program.

The Permits Program will recognise the role of mothers as primary caregivers and the importance of maintaining family ties while in custody.

### 32.2 Policy requirements

The Prison General Manager will:

- 1) ensure that applications for prisoners to take temporary absence are considered in accordance with the Commissioner's Guidelines, and that the Commissioner is notified of the details of all applications that are approved
- 2) ensure that applications for Aboriginal and Torres Strait Islander prisoners to take funeral leave are considered in consultation with Aboriginal Wellbeing and Liaison Officers regarding the prisoner's family/kinship structure
- 3) manage prisoners for whom a Corrections Administration Permit or a Rehabilitation and Transition Permit has been approved in accordance with the Commissioner's Guidelines
- 4) ensure that prisoners required to be escorted under a Corrections Administration Permit or a Rehabilitation and Transition Permit are escorted by staff trained as Escort Officers
- 5) establish processes and procedures to facilitate access to the range of permits
- 6) record decisions regarding applications for prisoners to take temporary absence in the their Individual Management File and on the Commissioner's information systems.

### 32.3 Policy Requirements

The Prison General Manager will enforce and monitor the application of policies relating to community involvement as required by the Commissioner, including, but not limited to:

- ◆ Corrections Victoria's Corrections Administration Permits, Rehabilitation and Transition Permits, and Interstate Leaves of Absence Program Guidelines.

### 32.4 Legislation

The Prison General Manager will comply with:

- ◆ *Corrections Act 1986*, sections 56A-58D, 80-84
- ◆ Corrections Regulations 2009, Div. 14
- ◆ *Charter of Human Rights and Responsibilities Act 2006*.

### 32.5 References

The Prison General Manager will have regard to:

- ◆ Standard Guidelines for Corrections in Australia 2012 – 2.46, 2.51, 3.17, 3.21, 4.14-15.

## 33 Fitness, sport and recreation

### 33.1 Outcomes

Prisoners are encouraged to maintain their mental and physical health, to use leisure time constructively, and to develop positive social habits by having access to a range of active and passive, indoor and outdoor, recreational activities.

### 33.2 Specified outputs

The Prison General Manager will ensure:

- 1) prisoners have access to open air for no less than one hour per day, weather permitting
- 2) prisoners are provided with a range of active, passive, group, and individual activities, with materials provided at reasonable cost
- 3) prisoners have access to information about the range of fitness, sport and recreation activities available
- 4) organised fitness and sporting activities are supervised by appropriately trained or qualified staff
- 5) prisoners have access to a well-stocked and diverse learning resource centre
- 6) all prisoners, regardless of their profile, are provided with facilities and activities that will make a positive contribution to the maintenance of mental and physical health and provide opportunities for personal growth and development.

### 33.3 Legislation

The Prison General Manager will comply with:

- ◆ *Corrections Act 1986*, section 47(1)(a)
- ◆ *Charter of Human Rights and Responsibilities Act 2006*.

### 33.4 References

The Prison General Manager will have regard to:

- ◆ Standard Guidelines for Corrections in Australia 2012 – 2.52-55.

## 34 Religion

### 34.1 Outcomes

Prisoners have the opportunity to practice the religious, cultural or spiritual expression their choice unless that practice is contrary to the good order and security of the prison.

### 34.2 Specified outputs

In order to achieve the above, the Prison General Manager will ensure:

- 1) prisoners will have access to religious activities, services and ceremonies on a regular basis
- 2) where the prisoner has requested, notify the relevant religious organisation when the prisoner has died, is seriously ill or is experiencing a severe emotional crisis
- 3) ensure essential festivals and special services are able to be observed by prisoners and staff
- 4) provide prisoners with access to religious and spiritual books, publications and materials within the security framework of the prison
- 5) arrange for the orientation of new chaplaincy staff so that they are able to competently and safely undertake their duties
- 6) provide chaplaincy staff with information and training concerning prison policies and procedures
- 7) provide chaplaincy staff with the number and location of prisoners of the relevant religion/faith
- 8) support the provision of pastoral care to prisoners
- 9) provide a quiet space for religious observance
- 10) allow prisoners to have access, where practicable, to appropriate articles and clothing for religious observance and facilities to prepare themselves for religious observance
- 11) respect confidentiality between prisoners and religious and spiritual representatives
- 12) ensure staff demonstrate respect and support and are mindful of other religious beliefs when dealing with prisoners, visitors and service providers
- 13) establish routines, staffing levels and facilities that allow prisoners to attend religious services on a regular basis, including mainstream and minority denominations, and where necessary, access to special dietary and food preparation requirements that reflect prisoners' religious beliefs
- 14) ensure that prison routines account for visits by contracted chaplaincy representatives and, upon request, allow prisoners to access these representatives
- 15) in order to maintain independence from the prison system, chaplains are to be employees of their communities of faith, not the prison provider.

### 34.3 Legislation

The Prison General Manager will comply with:

- ◆ *Corrections Act 1986*, section 47(1)(i)
- ◆ *Charter of Human Rights and Responsibilities Act 2006*.

### 34.4 References

The Prison General Manager will have regard to:

- ◆ Standard Guidelines for Corrections in Australia 2012 – 2.16-21
- ◆ Guidelines for the Provision of Chaplaincy Services in Public Prisons.

## 34.5 Victim support Services

### 34.6 Outcomes

Women who are survivors of sexual, physical and/or emotional abuse are provided with specialist counselling, advocacy and support services by an approved community-based agency to assist them in the recovery process and reduce the risk of perpetuating cycles of abuse and reoffending.

### 34.7 Specified Outputs

The prison manager will ensure:

- 1) sexual assault counselling, advocacy and support services, including both individual and group based sessions, are available through a specialist provider for all women prisoners who are survivors of sexual assault
- 2) other services are provided, where practical, to address unmet needs relating to women prisoners' experiences of family violence
- 3) services link to community-based programs that can offer ongoing support to the program participants after release
- 4) services cater for the needs of both long and short term prisoners.

### 34.8 Legislation

The Prison Manager will comply with:

- ◆ *Corrections Act 1986*
- ◆ *Charter of Human Rights and Responsibilities Act 2006.*

### 34.9 References

The Prison Manager will have regard to:

- ◆ Standard Guidelines for Corrections in Australia (20012), 2.20, 3.12.

## PART D: HEALTH SERVICES

Women prisoners generally present with a range of complex health and wellbeing needs, many of which are linked to their offending and reoffending behaviour. These include:

- ◆ experience of childhood sexual assault and intimate partner violence
- ◆ mental illness, including depression, anxiety, post-traumatic stress and personality disorders
- ◆ grief and anxiety associated with separation from children and other dependents
- ◆ complex substance abuse issues, including poly-drug use
- ◆ low self-esteem
- ◆ a history of self-harm.

The complex association between criminogenic and non-criminogenic risk factors that contribute to women's offending, means that wellbeing and rehabilitation objectives are often mutually dependent.

### 35 Health services

Refer to the Justice Health's Quality Framework 2011

#### 35.1 Outcomes

Healthcare is planned and delivered in collaboration with the prisoner in a timely manner and in accordance with professional standards and relevant clinical guidelines.

Forensic Mental Health Services will provide coordinated, flexible levels of stepped-care services for prisoners with a mental illness or a mental health issue.

#### 35.2 The role of Justice Health

Justice Health is the business unit within the Department of Justice that is responsible for the delivery of health services for prisoners. Justice Health sets the policy and standards for health care in prisons, audits standards of care and contract manages the health services providers.

#### 35.3 Standards of Healthcare in the Victorian Prison System

Healthcare services include:

- ◆ primary health (delivered in the prison)
- ◆ secondary health (delivered in prison settings with specialist health care beds)
- ◆ tertiary health services (access to specialist health services in the community)
- ◆ forensic mental health.

In the coordination and oversight of these services, Justice Health has adopted a set of principles to underpin the delivery of health services in the Victorian prison system. These principles are articulated as policy statements (the policy statements) in the Justice Health, Health Policy 2011. The policy statements place a strong emphasis on a quality framework that ensures consistently high-quality care is provided with compassion, confidentiality, and respect. Further, the framework provides for the availability of health promotion and disease prevention strategies to improve health outcomes for prisoners.

The Justice Health Quality Framework 2011 (the Quality Framework) has been developed to enact the Policy Statements and drive consistently safe, evidence-based care. It applies to all prison health services and articulates the standards to which care must be provided. The Quality Framework incorporates principles of care delivery as expressed in the Policy Statements; the standards to which

care must be delivered; and the structures, systems and measures by which the quality of care is monitored and improved.

### **Forensic Mental Health Services across the Victorian prison system**

The prevalence of mental illness among prisoners means that demand for mental health services, in particular acute services, is high. Specialist forensic mental health services in Victorian prisons are provided on a voluntary basis and include:

- ◆ specialist outpatient services
- ◆ inpatient voluntary acute and sub-acute services
- ◆ inpatient psychosocial rehabilitation
- ◆ assertive outreach for prisoners with severe mental illness transitioning from prison to the community
- ◆ specialist psychiatric and psychological reports for courts and the Adult Parole Board for prisoners in custody.

These services provide a wide range of services for prisoners while in prison and support their transition to community mental health services upon their release.

## PART E: PRISONER HOSPITALITY SERVICES

Living conditions in prison should reflect as closely as possible normal living standards in the community, within the boundaries of correctional practice, and be consistent with the maintenance of a healthy environment for prisoners.

The provision of appropriate living conditions for prisoners is based on respect and dignity and provides prisoners with opportunities to assume responsibility.

### 36 Food

#### 36.1 Outcomes

Prisoners are provided with food that is of sufficient quantity, quality, and nutritional value to maintain health and well-being, supports religious beliefs and is in accordance with hygiene and food handling legislation.

#### 36.2 Specified outputs

The Prison General Manager will provide:

- 1) three meals per day, per prisoner, at times acceptable by community standards
- 2) menus that comply with recommended dietary intakes and guidelines developed from time to time by the National Health and Medical Research Council
- 3) food that is prepared on premises registered with the relevant local municipal council and operated according to a food safety plan certified by the relevant local municipal council (with the exception of self-catering cottages)
- 4) meals which take into consideration:
  - a. prisoner preferences
  - b. need for a variety of food flavours
  - c. need for interesting and varied diet
  - d. appearance and palatability of food
  - e. seasonal availability of fresh produce
  - f. prisoners' religious requirements
  - g. prisoners' ethnic and cultural requirements
  - h. medical or special dietary requirements
  - i. dietary choice, including vegetarian meals
- 5) storage, preparation space and appropriate cooking utensils to cater for recognised religious practice
- 6) information for prisoners in self-catered accommodation regarding food preparation, menus, recipes, occupational health and safety, and safe hygiene practices
- 7) prisoners in self-catered accommodation with the opportunity to purchase food items that enable the preparation of meals which comply with 36.2(4) above.

The Prison General Manager will also ensure that:

- 1) any prisoners employed in food preparation (outside self-catering cottages) have completed an accredited food handling course and are trained and supervised by staff.

#### 36.3 Legislation

The Prison General Manager will comply with:

- ◆ *Corrections Act 1986*, sections 47(1)(b) and (c)

- ◆ *Charter of Human Rights and Responsibilities Act 2006*
- ◆ *Public Health and Wellbeing Act 2008*
- ◆ *Food Act 1984.*

## 36.4 References

The Prison General Manager will have regard to:

- ◆ Standard Guidelines for Corrections in Australia 2012 – 2.12-13
- ◆ Australian and New Zealand Food Standards Code (Chapter 3 – Food Safety Standards)
- ◆ National Health and Medical Research Council's Nutrient Reference Values for Australia and New Zealand, including Recommended Dietary Intakes
- ◆ National Health and Medical Research Council's Dietary Guidelines for Australian Adults.

## 37 Hygiene

### 37.1 Outcomes

The hygiene facilities used by prisoners are commensurate with those available to members of the general community.

The hygiene of prisoners, and the cleanliness and tidiness of the prison are consistent with community standards and compliant with Occupational Health and Safety requirements.

The risk of transmission of infectious disease within the prison is minimised as far as possible.

### 37.2 Specified outputs

#### 37.2.1 Hygiene

The Prison General Manager will ensure that prisoners have access to:

- 1) hot water, including a daily hot water shower, unless the safety and good order of the prison is compromised
- 2) toilet and wash basin
- 3) clean towels, soap, and appropriate sanitary items
- 4) grooming equipment in accordance with requirements of the Commissioner
- 5) clean bedding
- 6) clean clothing
- 7) laundry facilities or laundering services
- 8) appropriate waste management facilities
- 9) hairdressing/barbering services.

#### 37.2.2 Infection control

The Prison General Manager will develop and implement an Infection Control Management Plan to ensure that procedures and practices are in place to prevent the transmission of infectious disease as far as possible. This will include, but is not limited to:

- 1) training staff and educating prisoners in relation to principles and practices of infection prevention and control
- 2) use of 'standard precautions' when dealing with blood and bodily fluids, as outlined in the Health (Infectious Disease) Regulations 2001
- 3) access to personal protective equipment
- 4) processes for the management of infectious waste
- 5) access to resources regarding infection prevention and control
- 6) providing prisoners with powdered bleach sachets in a manner that allows ready access and minimises the likelihood they will be targeted as drug users

### 37.3 Policy requirements

The Prison General Manager will enforce and monitor the application of policies relating to hygiene as required by the Commissioner, including, but not limited to:

- ◆ Justice Health's Quality Framework 2011
- ◆ Justice Health's Communicable Diseases Framework 2012-14.

## 37.4 Legislation

The Prison General Manager will comply with:

- ◆ *Charter of Human Rights and Responsibilities Act 2006*
- ◆ *Public Health and Wellbeing Act 2008*
- ◆ Health (Infectious Diseases) Regulations 2001
- ◆ *Occupational Health and Safety Act 2004*
- ◆ Occupational Health and Safety Regulations 2007
- ◆ *Environment Protection Act 1970.*

## 37.5 References

The Prison General Manager will have regard to:

- ◆ Standard Guidelines for Corrections in Australia 2012 – 2.1, 2.51-52, 5.9-10
- ◆ Health Guidelines for Hairdressing and Barbering in Prisons.

## 38 Bedding

### 38.1 Outcomes

Appropriate bedding is supplied to all prisoners.

### 38.2 Specified outputs

The Prison General Manager will:

- 1) ensure all prisoners and, where appropriate, prisoners' children are provided with separate beds and clean and well maintained bedding suitable for the local climate
- 2) provide bedding that:
  - a. is appropriate and which reasonably accommodates prisoner's health needs
  - b. is fire retardant and complies with the guidelines outlined in the Cell and Fire Safety Guidelines
- 3) provide access to clean bed linen not less than once a week.

### 38.3 Policy requirements

The Prison General Manager will enforce and monitor the application of policies relating to bedding as required by the Commissioner, including, but not limited to:

- ◆ The Department of Justice's Cell and Fire Safety Guidelines.

### 38.4 Legislation

The Prison General Manager will comply with:

- ◆ *Charter of Human Rights and Responsibilities Act 2006*.

### 38.5 References

The Prison General Manager will have regard to:

- ◆ Standard Guidelines for Corrections in Australia 2012 – 2.10.

## 39 Clothing

### 39.1 Outcomes

All prisoners are adequately clothed for the prevailing climatic conditions. This includes any industry, or work the prisoner is required to undertake and is to be in accordance with maintaining the health of the prisoner or adhering to religious requirements, where security permits.

Prisoners shall be permitted to wear personal (non-prison issued) clothing when attending court. Consideration should also be given to prisoners being able to wear their own clothing when participating in the Rehabilitation and Transitional Permit Program.

Unsentenced prisoners will be allowed to wear their own suitable clothing (subject to operational considerations) or, if necessary, be issued with prison issued clothing.

### 39.2 Specified outputs

The Prison General Manager will supply prisoners with:

- 1) a sufficient quantity (that allows for regular changes) of clean clothing and footwear, suitable for the climate and for any work or activities the prisoner is required to do
- 2) well-fitting clothing and footwear
- 3) a means of keeping clothing clean and in a state of good repair
- 4) storage facilities for prisoners' personal clothing.

### 39.3 Legislation

The Prison General Manager will comply with:

- ◆ *Corrections Act 1986, section 47(1)(d) and (e)*
- ◆ Corrections Regulations 2009, regulation 21
- ◆ *Charter of Human Rights and Responsibilities Act 2006.*

### 39.4 References

The Prison General Manager will have regard to:

- ◆ Standard Guidelines for Corrections in Australia 2012 – 2.6-9.

## PART F: PRISONER ADMINISTRATION SERVICES

### 40 Staff selection, training and deployment

#### 40.1 Outcomes

Prisoners are managed, programs provided and services delivered, by appropriately selected and trained staff and contractors who are undertaking or have successfully completed mandatory minimum training in relation to the core issues associated with the management of women prisoners.

#### 40.2 Specified outputs

##### 40.2.1 Recruitment and staff conduct

The Prison General Manager will:

- 1) ensure the processes for recruitment, selection and training of staff are adhered to
- 2) endeavour to employ a range of staff who are representative of a relevant range taking into account of gender and ethnicity
- 3) implement a strategy for the employment, retention and development of Koori employees to support objective five (Responsive and Inclusive Services) of the Victorian Aboriginal Justice Agreement Phase 3;
- 4) ensure prison staff demonstrate appropriate attitudes and culturally sensitive practices and actively engage prisoners in positive behaviour change
- 5) ensure staff seek to build and maintain a high level of trust with Corrections Victoria, the community and their colleagues. Staff should behave in a manner that does not bring themselves or the State into disrepute
- 6) ensure staff avoid conduct in their private life that may adversely affect their standing or which may bring the State into disrepute
- 7) ensure staff use their power in a responsible way and respect the rights and dignity of those affected by their decisions and their actions
- 8) submit the names of proposed staff to the Commissioner for authorisation and clearance in compliance with the requirements of the *Corrections Act 1986*, including criminal history checks
- 9) ensure that all staff are subject to a police criminal history check prior to commencing employment and then every five years thereafter
- 10) ensure all staff are aware of the requirement to notify the Prison General Manager if that they are charged with a criminal offence that is punishable by imprisonment, or if found guilty, could reasonably be seen to affect their ability to meet the inherent requirements of the work they are engaged to perform, or bring the State into disrepute. The Prison General Manager must then immediately notify the Commissioner once it is aware of such a charge
- 11) ensure that any staff member who requires authorisation or delegation in order to perform their duties hold an instrument of authority or delegation prior to commencing or performing those duties
- 12) implement a Commissioner approved performance development system including position descriptions, supervision, performance reviews and appraisals to ensure that staff are held accountable for their work and that areas for improved performance are identified.

##### 40.2.2 Deployment of staff

The Prison General Manager will:

- 1) ensure that sufficient staff are deployed and supervised to facilitate the standards for prisons and the prison's operating manual

- 2) be responsible for the rostering and deployment of staff employed at the prison and for the work hours of sub-contractors
- 3) have sufficiently skilled staff on duty to provide appropriate security, supervision, prisoner management and delivery of programs, including:
  - a. ensuring minimum out-of-cell hours are met
  - b. maintaining the integrity of the prison's security system's operations
  - c. maintaining the safety, good order and security of the prison
  - d. providing a safe and secure environment for all prisoners, staff and visitors
  - e. delivering effective prisoner movement and control
  - f. managing prisoners in accordance with Corrections Victoria's Offender Management Framework
- 4) ensure that all persons working in the prison, regardless of their employment status, are inducted and/or oriented so that they are able to competently and safely undertake their duties and work within the parameters of a prison environment.

### 40.2.3 Staff training

The Prison General Manager will:

- 1) ensure authorised staff undertake and successfully complete the approved training unit on issues specific to managing women prisoners, covering such issues as:
  - a. women's different pathways into offending and contact with the criminal justice system
  - b. the distinct characteristics of women offenders and their responses to correctional supervision
  - c. the intersection between women's substance abuse, mental health and past victimisation
  - d. recognising and dealing with post traumatic stress disorder
  - e. the importance of relationships
  - f. staff-client relationships, including effective, empathetic communication and professional boundaries
  - g. mother-child relationships, parenting, separation and reunification issues
  - h. strategies for working with a range of agencies and coordinating multiple interventions and approaches
- 2) provide comprehensive and relevant pre-service and in-service training programs for custodial staff, including, but not limited to:
  - a. use of security management systems
  - b. emergency response
  - c. first aid
  - d. use of breathing apparatus
  - e. search and rescue
  - f. tactical options
  - g. reducing reoffending initiatives
  - h. welfare/wellness
  - i. professional boundaries
  - j. cultural, including Aboriginal and Torres Strait Islander, awareness
  - k. disciplinary proceedings
  - l. offender management
  - m. case management
  - n. suicide and self-harm prevention and response

- o. relevant legislative requirements
- 3) ensure authorised staff receive the initial training programs
- 4) ensure that the scope of pre-service and in-service training provided is sufficient to complete CSC30207 - Certificate III in Correctional Practice (Custodial) and to maintain currency of qualifications as required
- 5) ensure that all new custodial staff are provided with the opportunity to complete their Certificate III in Correctional Practice (Custodial)
- 6) ensure that suitably experienced staff have access to the Certificate IV in Correctional Practice
- 7) ensure that each prison workplace trainer/assessor has completed the Certificate IV Training and Assessment
- 8) ensure that the implementation of workplace practices is in accordance with Equal Opportunity and Occupational Health and Safety legislation
- 9) ensure staff competency is assessed through demonstrated skills and knowledge to perform their role safely and effectively
- 10) ensure mentoring, learning and development opportunities are linked with staff competencies to ensure development of relevant knowledge and skills
- 11) develop and implement an annual staff training plan for all staff for the purposes of maintaining capability and developing skills and knowledge
- 12) ensure the training program includes the annual maintenance of custodial staff qualifications in the use of tactical options, breathing apparatus, search and rescue and first aid
- 13) submit staff training programs and schedules, both in-service and pre-service, to the Commissioner for approval on an annual basis.

#### 40.2.4 Staff misconduct

The Prison General Manager will ensure that:

- 1) all allegations of staff misconduct are investigated
- 2) any allegation of staff misconduct that is likely to have an effect on the reputation or credibility of the Department is reported to the Commissioner
- 3) all incidents of staff misconduct, the outcome of any disciplinary investigations, and any disciplinary actions taken are reported to the Commissioner.

### 40.3 Performance Indicators

Service Delivery Outcome:

- ◆ Allegations of staff assault.

### 40.4 Policy requirements

The Prison General Manager will enforce and monitor the application of policies relating to staff selection, training and deployment as required by the Commissioner, including, but not limited to:

- ◆ Code of Conduct for Victorian Public Sector Employees 2007
- ◆ Victorian Aboriginal Justice Agreement.

### 40.5 Legislation

The Prison General Manager will comply with:

- ◆ *Corrections Act 1986*, sections 9A, B, & C, 12, 14, 18, 19, 20, 21, 22, 22A and 23
- ◆ Corrections Regulations 2009, part 2
- ◆ *Charter of Human Rights and Responsibilities Act 2006*
- ◆ *Firearms Act 1996*

- ◆ *Public Health and Wellbeing Act 2008*
- ◆ *Dangerous Goods Act 1985*
- ◆ *Dangerous Goods (Storage and Handling) Regulations 2013*
- ◆ *Emergency Management Act 1986*
- ◆ *Occupational Health and Safety Act 2004*
- ◆ *Equal Opportunity Act 2010*
- ◆ *Workplace Relations Act 2010 (Cth).*

## 40.6 References

The Prison General Manager will have regard to:

- ◆ Standard Guidelines for Corrections in Australia 2012 – 5.1-11, 5.24
- ◆ CSC07 Correctional Services Training Package
- ◆ Department of Justice's Koori Employment Strategy
- ◆ Minghu Gadhaba: Beginning Together (Koori Inclusion Action Plan).

## 41 Information systems management

### 41.1 Outcomes

Information systems and records interface with the other prisons and the Commissioner's information systems.

Staff collect, maintain, use and disclose information in compliance with information privacy and security policy and legislation.

### 41.2 Specified outputs

The Prison General Manager will:

- 1) operate and utilise the Commissioner's information systems, including updating prisoner information and complying with all security and privacy requirements as required by the Commissioner
- 2) record information concerning records and details of the prisoner, risks and recommended actions, prison management, program participation, prisoner monies, earnings and intelligence gathering on a computer-based information system that interfaces with the Commissioner's information systems utilising equipment and methods approved by the Commissioner
- 3) ensure that all relevant staff use current and accurate information to maintain the prisoner alert system
- 4) maintain computerised records and data transfer which fully comply with the Commissioner's requirements
- 5) maintain the integrity of the statewide prison intelligence system
- 6) require personnel entering data or accessing the computer records which interface with the Commissioner's Information System to be suitably trained and approved to do so
- 7) maintain the security of information systems that interface with the Commissioner's information systems
- 8) ensure that there is sufficient capacity to process information involved in the reception, release and transfer of prisoners and other legal procedures and the management of records.

#### 41.2.1 Privacy and Confidentiality

The Prison General Manager will ensure:

- 1) any local operating procedures are consistent with current Corrections Victoria Policy and Federal and State legislation which defines the circumstances in which disclosure of information is authorised
- 2) staff are aware of their responsibilities in maintaining prisoner privacy and confidentiality in the management of prisoners
- 3) prisoners are interviewed, assessed and discussions take place in an environment designed to ensure privacy and dignity; discussions are conducted in a confidential manner.

#### 41.2.2 Prisoner Consent

The Prison General Manager will ensure:

- 1) informed written consent from prisoners is obtained for their participation in programs, or for information about them to be collected or shared on their behalf (as per the Department of Justice's Knowledge and Information Technology Services Unit Guidelines, including the Standard for Data and Telephony Cabling)
- 2) develop and use a plain language consent form that must clearly state the following:
  - a. nature of voluntary consent

- b. right to withdraw
- c. eligibility criteria for treatment groups
- d. that sessions may be observed for quality assurance
- e. that aggregated (non-identifying) data may be used for research and evaluation purposes.

Prison General Managers must note a prisoner's refusal to participate in a program or exchange information with a service in the prisoner's Individual Management File and invite the prisoner to co-sign the entry.

### 41.2.3 Data

The Prison General Manager will ensure:

- 1) data collection, definitions and terminology are consistent and there are quality processes in place to ensure data integrity, security and document control
- 2) data is organised to ensure availability upon request from the Commissioner
- 3) analysis of data is undertaken to provide relevant information about quality of service, service planning and delivery
- 4) data systems are flexible and address the Commissioner's reporting requirements.

## 41.3 Policy requirements

The Prison General Manager will enforce and monitor the application of policies relating to information systems management as required by the Commissioner, including, but not limited to:

- ◆ Department of Justice's Knowledge and Information Technology Services Unit Guidelines.

## 41.4 Legislation

The Prison General Manager will comply with:

- ◆ *Corrections Act 1986*
- ◆ *Charter of Human Rights and Responsibilities Act 2006*
- ◆ *Freedom of Information Act 1982*
- ◆ *Information Privacy Act 2000.*

## 41.5 References

The Prison General Manager will have regard to:

- ◆ Standard Guidelines for Corrections in Australia 2012 – 1.49.

## 42 Prisoner records management

### 42.1 Outcomes

Prisoners are legally detained and full and accurate records of prisoners' warrants, sentences imposed by the Courts, transfers, releases, bails and fines are maintained in accordance with the relevant legislation and the requirements of the Commissioner.

### 42.2 Specified outputs

The Prison General Manager will:

- 1) ensure all prisoner records including Individual Management Files and Health Records are managed in accordance with the Department of Justice Records Management Procedure 2012 and the Public Record Office – Managing Records of Outsourced Activity 2010
- 2) ensure staff working with prisoner records have completed the Commissioner approved training for prisoner records management
- 3) maintain systems and procedures (with the prior written approval of the Commissioner) to provide Central Prisoner Records with the appropriate information to calculate and administer sentences of imprisonment imposed by the courts
- 4) safely and securely keep all warrants or authorities against which prisoners are detained, in accordance with the *Public Records Act 1973*
- 5) provide prisoners with an E\*Justice/PIMS generated Prisoner Information Report, or other written report as prescribed by the Commissioner, informing them of their estimated release date and provide further reports of release date and all subsequent changes at the earliest opportunity
- 6) release prisoners only with proper authority and confirmation of identity on the correct date
- 7) record and report all incidents of unlawful detention or incorrect release in accordance with the requirements of the Commissioner
- 8) make available procedures, staff and facilities for processing the payments of fines and the execution of bails as directed by the Commissioner.

#### 42.2.1 Attendance at court

The Prison General Manager will ensure:

- 1) where a Gaol Order is received at the prison for a prisoner to attend court, the prisoner is available to attend on the specified date. The Gaol Order must also be provided to Central Prisoner Records to ensure they record the proposed movement and arrange the required transport
- 2) that prisoners in in-patient facilities (such as health sub-acute beds or mental health beds) who are required to attend court, including telecourt, are medically assessed prior to attendance. Where a prisoner is deemed unfit to attend court, documentation reflecting this is to be forwarded to the Sentence Management Branch, Central Prisoner Records and the court
- 3) all warrant details lodged at the prison are transferred to Central Prisoner Records.

#### 42.2.2 File management

The Prison General Manager will ensure:

- 1) the Individual Management File contains all necessary information relevant to the management, progress and well being of each prisoner
- 2) all staff record information relevant to the management of a prisoner in their Individual Management File

- 3) all staff including subcontracted drug and alcohol, education, and counselling staff record all relevant information regarding the prisoner's program attendance including exit reports, progress against program objectives and well being, in the Individual Management File
- 4) the Individual Management File is up to date including recording of progress against local and offender management plans, and proceeds with the prisoner upon transfer
- 5) all staff involved in offending behaviour program delivery, including subcontracted drug and alcohol staff, record all relevant information regarding a prisoner's program attendance, including exit reports, progress against program objectives and wellbeing in the prisoner's Offending Behaviour Program File, and appropriate Commissioner's Information System
- 6) the Individual Management File, Health Record and Offending Behaviour Program File accompany each Prisoner transfer
- 7) on release from custody, the Prisoner's Individual Management File, Health Record and Offending Behaviour Program Files are returned to the Melbourne Assessment Prison File Registry section.

### 42.3 Policy requirements

The Prison General Manager will enforce and monitor the application of policies relating to prisoner records management as required by the Commissioner, including, but not limited to:

- ◆ Corrections Victoria's Sentence Management Manual
- ◆ Department of Justice's Records Management Procedures 2012
- ◆ Public Records Office – Managing Records of Outsourced Activity 2010.

### 42.4 Legislation

The Prison General Manager will comply with:

- ◆ *Corrections Act 1986*, sections 30 and 58E
- ◆ Corrections Regulations 2009, regulations 70-1
- ◆ *Charter of Human Rights and Responsibilities Act 2006*
- ◆ *Freedom of Information Act 1982*
- ◆ *Magistrates Court Act 1989*
- ◆ *County Court Act 1958*
- ◆ *Crimes Act 1914*
- ◆ *Bail Act 1977*
- ◆ *Crimes Act 1958*
- ◆ *Sentencing Act 1991*
- ◆ *Public Records Act 1973*
- ◆ *Information Privacy Act 2000*.

### 42.5 References

The Prison General Manager will have regard to:

- ◆ Standard Guidelines for Corrections in Australia 2012 – 1.1, 1.18, 1.19, 5.14-15, 5.19-22.

## 43 Requests and complaints

### 43.1 Outcomes

Requests and complaints from prisoners are dealt with in a prompt and effective manner.

### 43.2 Specified outputs

The Prison General Manager will implement procedures in order to:

- 1) ensure that prisoners are informed of the internal and external request and complaint process in a form that is accessible and appropriate to the prisoner's abilities (including taking into account any sensory and cognitive disabilities) and in a language the prisoner can understand
- 2) ensure that staff action and deal with prisoner requests and complaints in a fair, transparent and equitable manner while maintaining objectivity and confidentiality
- 3) ensure that prisoners have access to the appropriate people and information to resolve requests and complaints
- 4) ensure that the Prison General Manager or delegate is available at all reasonable times to receive requests and complaints from prisoners
- 5) take whatever action is reasonably required to address and resolve a prisoner's request or complaint
- 6) ensure prisoners are aware of the process to make a complaint about their health care in accordance with the Justice Health Complaints Handling Framework
- 7) ensure prisoners are aware of their right to contact the Victorian Ombudsman and Health Services Commissioner on the respective free call numbers to lodge a request or complaint. Prisoners are to be advised that phone calls or mail to these authorities fall within the exempt category and are therefore not monitored
- 8) ensure that prisoners' requests and complaints are recorded, together with a record of how each matter was dealt with.

### 43.3 Policy requirements

The Prison General Manager will enforce and monitor the application of policies relating to requests and complaints as required by the Commissioner, including, but not limited to:

- ◆ Justice's Health Quality Framework 2011.

### 43.4 Legislation

The Prison General Manager will comply with:

- ◆ *Corrections Act 1986*, sections 47(1)(j)(m), s47(3) and 47B
- ◆ *Charter of Human Rights and Responsibilities Act 2006*
- ◆ *Ombudsman Act 1973*
- ◆ *Freedom of Information Act 1982*
- ◆ *Information Privacy Act 2000*
- ◆ *Health Records Act 2001*
- ◆ *Health Services (Conciliation and Review) Act 1987*.

### 43.5 References

The Prison General Manager will have regard to:

- ◆ Standard Guidelines for Corrections in Australia 2012 – 1.22-24.

## 44 Prisoner communications

### 44.1 Outcomes

Prisoners have access to communication mediums (approved by the Commissioner) so that they are able to maintain contact with family, friends and relevant professionals.

Communication is central to prisoner wellbeing, and communications systems should be designed to reflect the centrality of women's connection with family and promote this as a means to maintain family and community ties.

### 44.2 Specified outputs

The Prison General Manager will:

- 1) provide a telephone and mail communication system to enable prisoners to make telephone calls and send and receive letters, including access to interpreter services where required
- 2) provide prisoners access to approved free call numbers
- 3) implement and maintain procedures to monitor and, where necessary, stop phone calls and/or letters that jeopardise the security and good order of the prison or are of a threatening or harassing nature
- 4) abide by legislative requirements relating to the opening, inspecting and reading of prisoners' mail
- 5) ensure that mail is promptly forwarded and distributed
- 6) ensure that mail addressed to prisoners who have been transferred to another prison is forwarded promptly
- 7) ensure prison security is not compromised when prisoners communicate with family and friends, whilst respecting prisoners' right to confidentiality during these communications
- 8) ensure prisoners are aware that any contact with the media must have prior approval from the Commissioner.

### 44.3 Legislation

The Prison General Manager will comply with:

- ◆ *Corrections Act 1986*, sections 47(1)(m) & (n), 47(3) and 47A-E
- ◆ *Corrections Regulations 2009*, regulations 17-19
- ◆ *Charter of Human Rights and Responsibilities Act 2006*
- ◆ *Australian Telecommunications Act 1997 (Cth)*.

### 44.4 References

The Prison General Manager will have regard to:

- ◆ Standard Guidelines for Corrections in Australia 2012 – 1.35.

## 45 Prisoner property

### 45.1 Outcomes

Prisoner property is recorded, stored, transferred and controlled in an effective manner and in accordance with relevant legislation and the requirements of the Commissioner.

### 45.2 Specified outputs

The Prison General Manager will:

- 1) maintain a cell point system for prisoner property that is approved by the Commissioner and takes into account prison security classification and fire load
- 2) ensure prisoners are able to access personal property in cells to promote a sense of their personal identity and individual well-being whilst ensuring security and safety of the prison
- 3) maintain systems to accommodate and safely store items of property not kept in prisoner cells
- 4) inform all prisoners of the quantity of property permitted to be stored
- 5) ensure the safe storage of prisoner property not kept in prisoner cells
- 6) record incoming and outgoing prisoner property in a manner approved by the Commissioner
- 7) have in place a list of approved property items that can be dropped off or sent in by approved visitors
- 8) ensure processes are in place and adhered that facilitate a person on a prisoner's approved visitors list bringing approved property to the prison for the prisoner, or in other exceptional circumstances as approved by the Prison General Manager
- 9) ensure that prisoner property is transferred with the prisoner to another prison provided that the property transferred:
  - a. does not exceed the property allowance per prisoner as determined by the Commissioner
  - b. comprises articles which are acceptable to the receiving prison
- 10) maintain a system of receiving, recording, storing, issuing and transferring and disposing of prisoner private property consistent with the requirements of the Commissioner
- 11) deliver prisoner property to the prisoner on release
- 12) ensure property complaints are thoroughly investigated and where the prison has accepted responsibility, compensate prisoners by either replacement of the property lost, damaged or stolen or monetary compensation
- 13) not allow prisoner access to any area where prisoner property is stored by the prison on behalf of the prisoner
- 14) not employ prisoners in property stores
- 15) ensure staff take due care of prisoner property.

### 45.3 Policy requirements

The Prison General Manager will enforce and monitor the application of policies relating to prisoner property as required by the Commissioner, including, but not limited to:

- ◆ Corrections Victoria's Sentence Management Manual.

### 45.4 Legislation

The Prison General Manager will comply with:

- ◆ *Corrections Act 1986*
- ◆ Corrections Regulations 2009, regulations 32-39 and 80
- ◆ *Charter of Human Rights and Responsibilities Act 2006*.

## 46 Prisoner monies

### 46.1 Outcomes

Prisoner monies are recorded, stored, transferred and managed in an effective manner, and in accordance with relevant legislation and the requirements of the Commissioner.

### 46.2 Specified outputs

#### 46.2.1 Prisoner Monies

The Prison General Manager will:

- 1) manage prisoner monies in an accountable manner allowing prisoners appropriate access to their money
- 2) implement a system to effectively record, store, transfer and control prisoner monies
- 3) establish an interest bearing audited bank account (known as a Prisoner Trust Account) in accordance with the Corrections Regulations 2009 for the sole purpose of holding prisoner monies and maintain a record of all transactions involving money held on behalf of prisoners
- 4) effectively manage private prisoner money so that prisoners can purchase personal and hobby items, make telephone calls and make payments to family, friends or professional agencies
- 5) not permit any prisoner to deposit or have deposited in their private money account more than the amount specified from time to time by the Commissioner
- 6) pay the balance of the prisoner's private money and earning accounts into their account when transferred to another prison
- 7) pay the balance of the prisoner's private money and earning accounts to the prisoner on release
- 8) provide a full summary of the prisoner's account balance and transactions for the previous three months on a prisoner's transfer to another prison
- 9) when requested, and no more than once a month, provide a statement to a prisoner showing all transactions pertaining to them
- 10) determine on a weekly basis the net impact of prisoner money movements between the Prisoner Trust Accounts.

#### 46.2.2 Prisoner Earnings

The Prison General Manager will:

- 1) pay remuneration to prisoners for work performed at a rate approved by the Commissioner
- 2) pay remuneration to prisoners engaged in education and vocational training at a rate approved by the Commissioner
- 3) credit all money earned from paid employment or paid participation in educational, treatment and rehabilitation programs and education to an account established in accordance with the Corrections Regulations 2009
- 4) provide access for prisoners to monies earned for approved purchases
- 5) deduct from prisoner earnings the amounts required to pay for damage done by the prisoner to property in the prison and for the payment of fines as a result of a General Manager's Disciplinary Hearing
- 6) ensure that 20 per cent of all net earnings are saved by each prisoner and pay those monies to the prisoner on release.

### 46.3 Legislation

The Prison General Manager will comply with:

- ◆ *Corrections Act 1986*
- ◆ Corrections Regulations 2009, regulations 28-31, 40 and 80
- ◆ *Charter of Human Rights and Responsibilities Act 2006*
- ◆ *Unclaimed Monies Act 2008*.

### 46.4 References

The Prison General Manager will have regard to:

- ◆ Standard Guidelines for Corrections in Australia 2012 – 1.8, 2.21, 2.23
- ◆ Mothers and Children Program Commissioner's Requirement.

## 47 Prisoner shop

### 47.1 Outcomes

Prisoners are able to purchase approved additional foodstuffs, drinks, postage stamps, toiletries and hobby items from a prison shop or through other process.

### 47.2 Specified outputs

The Prison General Manager will:

- 1) ensure items available in the shop facility reflect prisoners' gender, ethnic, religious and cultural preferences and are not inconsistent with the Commissioner's requirements regarding banned and controlled items
- 2) establish a process to allow for prisoner recommendations about stock items
- 3) ensure staff operating the prisoner shop or other process maintain accurate records
- 4) ensure all prisoners are able to access the prisoner shop or other process system on a regular basis
- 5) ensure prisoners are able to spend funds from their accounts up to a prescribed maximum amount.

### 47.3 Legislation

The Prison General Manager will comply with:

- ◆ *Corrections Act 1986*
- ◆ *Charter of Human Rights and Responsibilities Act 2006.*

## 48 Document information

### 48.1 References

The Prison General Manager will have regard to:

- ◆ Standard Guidelines for Corrections in Australia 2012 – 1.15, 2.22.

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### 48.3 Document approval

This document requires the following approval:

Name	Title	Organisation
Jan Shuard	Commissioner	Corrections Victoria