

Australian Capital Territory

Corrections Management (Prisoner Property) Procedure 2007*

Notifiable instrument NI2007-462

made under the

Corrections Management Act 2007, section 14(1) (Corrections policies and operating procedures)

1 Name of instrument

This instrument is the *Corrections Management (Prisoner Property) Procedure 2007*.

2 Commencement

This instrument commences on the day after it is notified.

3 Policies and operating procedures

Under section 14 of the *Corrections Management Act 2007* (the Act), I make the

PRISONER PROPERTY PROCEDURE

in Schedule 1 to this instrument, to facilitate the effective and efficient management of correctional services.

James Ryan
Executive Director
ACT Corrective Services
17 December 2007

*Name amended under Legislation Act, s 60



**Belconnen Remand Centre (BRC)
Symonston Temporary Remand Centre (STRC)
Court Transport Unit (CTU)**



PRISONER PROPERTY PROCEDURE

Purpose	1
Authority	1
Scope	1
Procedure	1
Receiving property from a member of the public	1
Receiving property as part of a prisoner's admission into the BRC/STRC	3
Receiving and storing of valuables	4
Opening a valuables bag	5
Reporting and investigation of invalid seals	6
Request to have additional personal property in cell	6
Signing out property	7
Unclaimed property	7
Disposal of property	8
Release of property following the death of a prisoner	8
Forms/Templates	9
Related policies and procedures	9

Purpose

To describe the procedures for the accounting and storage of prisoners property.

Authority

Legislation

Corrections Management Act 2006, section 14

Scope

This procedure commences when property is received into the BRC/STRC, and concludes with the release, or destruction of that property.

Procedure

1 Receiving property from a member of the public

Step	Action	Responsibility
<u>1</u>	Property Request Form received.	Induction Officer
<u>2</u>	Property Request Form approved/denied.	Induction Officer
<u>3</u>	Property received into the BRC/STRC.	Visits Officer
<u>4</u>	Property Request Form checked.	Visits Officer
<u>5</u>	Property searched.	Visits Officer
<u>6</u>	Receipt issued.	Visits Officer
<u>7</u>	Property forwarded to Induction.	Induction Officer
<u>8</u>	Property entered into the prisoner's property sheet.	Induction Officer
9	Property issued to the prisoner or stored in the prisoner's property locker.	Induction Officer
<u>10</u>	Location of property noted on the prisoner's property	Induction Officer

	sheet.	
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Step 1

Corrections officers in the accommodation yards will forward all Property Request Forms to Induction.

Step 2

The Induction Officer will check the amount of property the prisoner has in their possession and in their property locker.

Prisoners may receive 7 pairs of socks and 7 pairs of underwear.

Prisoners may receive the following articles for use in court appearances only:

- Trousers/jeans/slacks/skirt/dress
- Jumper/sloppy Joe
- Suit Shirt/T-shirt
- Belt
- Shoes
- Shirt

These items are limited to one of each. The Duty Chief may approve additional articles for prisoners engaged in lengthy court proceedings.

Where a request for property is denied, the Property Request Form must be forwarded to the prisoner stating the reasons for the denial.

Approved Property Request Forms should be forwarded to the Front Desk. Once processed they will be filed in the Prisoners dossier.

Step 3

Property may be processed at the front desk of either BRC or STRC when a person is visiting a prisoner or between the hours of 0900 and 1700hrs.

Step 4

Property may not be received from a visitor without an authorised Property Request Form.

Step 5

All property entering the BRC/STRC must be thoroughly searched.

Step 6

A receipt must be issued for all property received.

The description of the articles must include the colour, brand, and type of article, for example, *dark blue sweatshirt with hood, Nike brand*.

The following articles are prohibited and will not be accepted into the BRC/STRC:

- any item which cannot be effectively searched and which could reasonably be used to conceal contraband;
- clothes in excess of those listed in Step 2;

- radios;
- television sets;
- modular music systems;
- MP3 players or other devices that have recording facilities;
- footwear except for court appearances;
- belts with large metal buckles or studs;
- jewellery and other item of a valuable nature;
- any article which may be considered offensive (see the *Display of Offensive Material Policy*); and
- mobile phones.

Step 7

The Visits Officer will forward all property to the Induction Officer.

Step 8

The Induction Officer shall ensure the description of all items of property is sufficient to assist in determining the value and condition of any items allegedly lost or stolen.

The following information must be entered into the prisoner's property sheet:

- a description of the article;
- any serial numbers of all valuable items;
- the condition of all articles; and
- the property locker number.

Step 10

This includes the date issued to the prisoner or stored in the locker.

2 Receiving property as part of a prisoner's admission into the BRC/STRC

Step	Action	Responsibility
1	Prisoner received into the BRC/STRC.	Induction Officer
<u>2</u>	Prisoner directed to submit all personal belongings to be searched.	Induction Officer
<u>3</u>	Property searched.	Induction Officer
<u>4</u>	Property entered onto the Prisoner's Property Sheet.	Induction Officer
<u>5</u>	Property issued to the prisoner or stored in the prisoner's property locker.	Induction Officer
<u>6</u>	Location of property noted on the prisoner's property sheet.	Induction Officer

Step 2

On admission to the BRC/STRC, prisoners will be issued with a set of prison issue clothing to get changed into.

All articles (including all clothing) will be submitted for searching and processing by the Induction Officer.

Step 3

All property entering the BRC/STRC must be thoroughly searched.

Step 4

The Admissions Officer shall ensure the description of all items of property is sufficient to assist in determining the value and condition of any items allegedly lost or stolen. The description of the articles must include the colour, brand, and type of article, for example, *dark blue sweatshirt with hood, Nike brand*.

The following information must be entered into the prisoner's property sheet:

- a description of the article;
- any serial numbers of all valuable items;
- the condition of all articles; and
- the property locker number.

Step 5

The following personal items may be issued to a prisoner on admission:

- 1 wedding band;
- 1 religious item (e.g. prayer mat, crucifix and chain, yarmulke [Jewish skull cap]);
- Legal papers;
- 4 sets of underwear; and
- 4 pairs of socks.

All other items (except for valuables) must be stored in the prisoner's property locker to be issued on discharge from the BRC/STRC. The process from the receipt and storage of valuables including money can be found below.

Prisoners will be issued clothing and bedding.

Step 6

This includes the date issued to the prisoner or stored in the locker.

3 Receiving and storing of valuables

Step	Action	Responsibility
<u>1</u>	Valuables received.	Induction Officer
<u>2</u>	Valuables searched.	Induction Officer
<u>3</u>	Valuables entered into the prisoner's property sheet.	Induction Officer
<u>4</u>	Monies forwarded to the Finance Officer.	Induction Officer
<u>5</u>	Valuables placed in Valuables Property Bag.	Induction Officer
<u>6</u>	Serial number entered into prisoner's property sheet.	Induction Officer

Note: valuables may only be received when a prisoner is admitted into an ACTCS correctional centre. Valuables may not be received from a visitor.

Step 1

Valuables include:

- money;
- jewellery;
- wallet/purse;
- key or credit cards;
- other cards (e.g. drivers licence, proof of age, Centrelink cards);
- mobile phones;
- keys; and
- iPods or other music players.

Step 2

All property entering the BRC/STRC must be thoroughly searched.

Step 3

The Induction Officer shall ensure the description of all items of value is sufficient to assist in determining the value and condition of any items allegedly lost or stolen. The description of the articles must include the colour, brand, and type of article, for example, *dark blue sweatshirt with hood, Nike brand*.

Jewellery must be described in the following way: if an item appears to be made of gold or silver, the property sheet must read *yellow* or *white metal*. Where an item contains a stone, the colour of the stone must be recorded; the property sheet in this instance must read *transparent cut stone* rather than *diamond*.

The following information must be entered into the prisoner's property sheet:

- description of the article;
- any serial numbers of all valuable items;
- the condition of all articles; and
- the valuables locker number.

Step 4

All money in a prisoner's property will be processed in accordance with the *Management of Monies Policy and Procedure*. A report must be placed in the prisoner's property.

Step 5

Valuables must be placed in a valuables bag and sealed using a security seal.

Step 6

The serial number displayed on the security seal must be entered onto the prisoner's property sheet.

4 Opening a valuables bag

Step	Action	Responsibility
<u>1</u>	Break seal.	Induction Officer
<u>2</u>	Check contents.	Induction Officer
<u>3</u>	Note any changes.	Induction Officer
<u>4</u>	Reseal.	Induction Officer

Step 1

The seal of a valuables bag should, where practicable, be broken in front of the prisoner whose property is contained in the bag. If this is not possible, two Corrections Officers must be present.

Step 2

The contents of the valuables bag must be checked each time a seal is broken.

Step 3

Any discrepancies, including any changes made at the time of the seal being broken, must be noted on the property form. Should any unexpected discrepancies be discovered, an Officer's Report Form must be forwarded to the Duty Chief as soon as practicable. The Duty Chief will investigate all discrepancies.

Step 4

The new seal number must be noted on the Prisoner's Property Sheet.

5 Reporting and investigation of invalid seals

Step	Action	Responsibility
<u>1</u>	Seal found to be invalid.	Induction Officer
<u>2</u>	Report submitted.	Induction Officer
<u>3</u>	Investigation conducted.	Duty Chief

Step 1

An invalid seal is one which the seal is broken or where the seal number does not match that recorded on the Prisoner's Property Sheet.

Step 2

Upon finding an invalid seal, an Officer's Report must be submitted to the Duty Chief immediately.

Step 3

The Duty Chief will investigate all reports of invalid seals. Where a discrepancy in the property contents is detected, the Duty Chief must report the matter in writing to the Superintendent immediately.

6 Request to have additional personal property in cell

Step	Action	Responsibility
<u>1</u>	Request form received.	Corrections Officer
<u>2</u>	Request form forwarded to Induction.	Corrections Officer
<u>3</u>	Request assessed.	CO2/ Induction Officer
<u>4</u>	Prisoner informed of outcome.	CO2

Step 1

Prisoners may request to have additional property issued to them.

Prisoners will be issued a limited amount of property as part of their induction into the BRC/STRC. Any property in addition to this must be the subject of a request form.

Step 3

The CO2 in consultation with the Induction Officer must consider the application having regard to the amount of property already issued to the prisoner, and the type of items being requested.

Step 4

The prisoner is to be either conveyed to Induction to collect the property or informed of the reasons for denying the request.

7 Signing out property

Step	Action	Responsibility
1	Request to sign property out received.	Corrections officer
2	Request forwarded to Induction.	Corrections officer
<u>3</u>	Request considered.	CO2/ Induction Officer
4	Property placed in a plastic bag.	Induction Officer
<u>5</u>	Property forwarded to the Front Desk.	Induction Officer
<u>6</u>	Property collection facilitated.	Visits Officer
<u>7</u>	Request form forwarded to the prisoner's accommodation yard.	Visits Officer

Step 3

The CO2 in consultation with the Induction Officer is to consider the request. If the request is denied, the reasons must be recorded on the Request Form and forwarded to the prisoner's accommodation yard. The prisoner must be informed of the reasons for the denial.

Step 5

The property and the request form must be forwarded to the Front Desk before the date on the form. If not enough notice is given; the prisoner must be informed of this and told that they may resubmit the request with an alternative date.

The prisoner's property sheet must be amended to reflect that the property has been signed out.

Step 6

The Reception Officer will hand the property to the visitor and ask them to check it against the request form. The visitor must then sign the form.

Step 7

The form must be placed on the prisoner's dossier.

8 Unclaimed property

Step	Action	Responsibility
<u>1</u>	Notice sent to prisoner's last known address.	Duty Chief

2	Disposal of property.	Induction Officer
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Step 1

Where property is not collected following a prisoner's discharge, the Duty Chief may order a notice to be sent to the prisoner's last known address.

Step 2

Where property is not collected within one month of the notice being sent, the property will be disposed of in accordance with the following procedure.

9 Disposal of property

Step	Action	Responsibility
1	Property flagged for disposal.	Induction Officer
2	Disposal of property.	Induction Officer

Step 1

Prisoners may request that an article of property be disposed of. Alternatively, property may be disposed of if a prisoner does not collect an item following discharge.

Step 2

All property will be disposed of in accordance with the *Uncollected Goods Act 1996*, or by prior agreement with the prisoner.

10 Release of property following the death of a prisoner

Step	Action	Responsibility
1	Notification sent to next of kin.	Superintendent
2	Register of property compiled.	Induction Officer
3	Property placed in a plastic bag.	Induction Officer
4	Property forwarded to the Front Desk.	Induction Officer
5	Property collected.	Visits Officer
6	Signed property list forwarded to Induction.	Visits Officer
7	Property list placed in the prisoner's dossier.	Induction Officer

Step 1

The next of kin of the prisoner will be notified that the prisoner's property is either being held at the BRC/STRC (for a period of one month) awaiting collection, or is in the possession of the AFP for the purposes of their investigation.

The Superintendent may delegate this to an appropriate person such as the Deputy Superintendent, Welfare Officer, Indigenous Liaison Officer, etc.

Step 2

The Induction Officer will compile a list of all of the prisoner's property, including all personal articles in the prisoner's cell, items stored in Induction, and any valuables.

Step 3

All articles of property will be placed in a plastic bag. The property list will be secured to the outside of the bag.

Step 4

Where property is required for an AFP investigation, arrangements may be made for the AFP to collect the property from Induction.

Step 5

Where the property is required for an AFP investigation, a Police Officer must sign the property list.

Where the prisoner's next of kin collects the property, that person must sign the property list.

Step 7

The signed property list must be placed on the prisoner's dossier to ensure that evidence is maintained of the collection of the property.

Forms/Templates

Application to Receive Property

Prisoner's Request Form

Seized Article Receipt

Property Receipt Book

Related policies and procedures

Prisoner's Mail Policy

Prisoner's Mail Procedure

Management of Monies Policy

Management of Monies Procedure