

Australian Capital Territory

Corrections Management (AMC Smoking) Policy 2009

Notifiable instrument NI2009-119

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 (AMC Smoking) Policy 2009*.

2 Commencement

This instrument commences on the day after it is notified.

3 Policy

I make the

AMC SMOKING POLICY

attached to this instrument, to facilitate the effective and efficient management of correctional services.

James Ryan
Executive Director
ACT Corrective Services
25 March 2009



Alexander Maconochie Centre (AMC)



AMC SMOKING POLICY

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Purpose

To outline the AMC smoking policy.

Authority

Legislation

Corrections Management Act 2007, sections 14, 81, 82, 86, and Chapter 10.
Human Rights Act 2004.

Policy

Principles

While the *Smoking (Prohibition in Enclosed Public Spaces) Act 2003* does not apply to correctional centres, the *Corrections Management Act 2007* allows the Superintendent to designate non-smoking areas.

Harm-minimisation includes preventing anticipated harm and reducing actual harm through demand reduction, supply reduction and harm reduction strategies.

Restrictions on the use of tobacco products within correctional centres are consistent with a harm reduction strategy.

Staff and prisoners who choose to smoke have a responsibility to:

- act responsibly and be aware of the obligation to care for the health, safety and welfare of others at a workplace;
- co-operate and comply with the requirements of this policy;
- be aware that individuals can be held personally liable for any wilful or reckless acts or omissions which may result in illness or injury to others; and
- report any breaches of this policy.

Scope

This policy applies to all ACT Corrective Services staff, volunteers, contractors (including sub contractors), visitors, prisoners and any other person within the AMC.

Prohibited areas

Smoking is prohibited in all internal areas of the AMC including cells, cottages, rooms, offices, and covered corridors. A two metre smoke-free zone applies from all external exit doorways. This zone will be clearly identified by a sign indicating the area is 'smoke free' for both prisoners and staff.

Smoking is prohibited in visits areas, including outdoor visiting areas.

Consideration must be given to prevent tobacco smoke drifting from outdoor smoking areas into non-smoking areas through doorways, corridors, vents, windows, basements, lift areas, etc.

Permissible areas

Smoking is only permitted in designated smoking areas, such as the cottage courtyards. These areas will be clearly marked with signage.

Smoking on duty

Corrections officers are permitted to smoke provided they are working in an area where smoking is allowed. Corrections officers who are rostered in a non-smoking area may smoke so long as they arrange for another corrections officer to cover their post, and they smoke in an area where smoking is permitted. Permission must be sought from the area CO2.

Smoking reduction/cessation approaches

Prisoners wishing to quit smoking or reduce their nicotine dependence will be supported by Corrections Health staff and ACT Health's Quit Program.

Prisoners may access nicotine replacement lozenges through the buy-up system. Suitability for other nicotine replacement therapies will be assessed by the Corrections Health program.

Sale of Tobacco Products

Prisoners may purchase tobacco products through the buy-up system. ACTCS must ensure that tobacco products are not otherwise advertised on or in ACTCS facilities and are only available to prisoners. Prisoners under the age of 18 may not purchase tobacco products.

Possession restrictions

Staff members, prisoners, contractors (including subcontractors), volunteers and all other visitors must not possess unauthorised smoking items within a correctional centre. For further clarification please refer to the *Contraband Policy*.

Policy violations

Staff members who are in violation of this policy will be subject to the employee disciplinary process.

Detainees who are in violation of this policy will be subject to the prisoner disciplinary process.

Contractors, volunteers and visitors who are in violation of this policy will be directed to cease smoking and dispose of any unauthorised smoking items. If they persist they will be directed to leave the Centre.

Forms/templates

Request to Receive Tobacco on Reception

Related Policies and Procedures

Access to Health Care Policy

Contraband Policy

Prisoner Discipline Procedure