

Australian Capital Territory

# Corrections Management (Prisoner at Risk) Policy 2009

Notifiable instrument NI2009-142

made under the

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

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## 1 Name of instrument

This instrument is the *Corrections Management (Prisoner at Risk) Policy 2009*.

## 2 Commencement

This instrument commences on the day after it is notified.

## 3 Policy

I make the

PRISONER AT RISK 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)



## PRISONER AT RISK POLICY

<b>Purpose</b>	<b>1</b>
<b>Authority</b>	<b>1</b>
<b>Policy</b>	<b>1</b>
Prisoner at Risk (PAR)	1
Principles	1
Risk Assessment	2
Recommendations	2
Observation regimes	3
<b>5 minute intervals</b>	<b>3</b>
<b>15 minute intervals</b>	<b>3</b>
<b>30 minute intervals</b>	<b>3</b>
<b>Commencing an observation regime</b>	<b>3</b>
<b>Removing or downgrading an observation regime</b>	<b>4</b>
<b>Increasing an observation regime</b>	<b>4</b>
Conducting observations	4
Notification of PAR	5
<b>Transfer of a PAR</b>	<b>5</b>
<b>Prisoner Review Committee</b>	<b>5</b>
<b>Escorts</b>	<b>5</b>
Suicidal or self-harming behaviour during escort	5
Medical Observations	6
<b>Forms/templates</b>	<b>6</b>

### Purpose

To outline the policy for the management of prisoners at risk (PAR) at the AMC.

### Authority

#### Legislation

*Corrections Management Act 2007*, section 14, 92, 138(1)(g).

*Mental Health (Treatment and Care) Act 1994*.

### Policy

#### **Prisoner at Risk (PAR)**

The term PAR refers to any prisoner who has:

- threatened to harm him or herself;
- been assessed as being at risk of harming him or herself; and/or
- recently engaged in suicidal or self - harming behaviour.

#### **Principles**

In order to reduce the incidence of suicidal or self-harming behaviour, emphasis will be placed on:

- Monitoring and observing all prisoners;

- Sharing timely and comprehensive information between ACT Corrective Services (ACTCS), the ACT Courts and Tribunals, the Australian Federal Police (AFP) and ACT Health;
- Facilitating mental health and health assessments; and
- Providing or facilitating the interventions identified as being needed.

ACTCS has a duty of care to provide safe and secure accommodation for all prisoners in custody.

ACTCS encourages a holistic approach to prisoner health, including early identification of at risk and vulnerable prisoners, early intervention, close monitoring and intensive support. Assessment of vulnerability is seen as an ongoing multi-disciplinary responsibility involving corrections officers, health centre staff and other therapeutic programs and ACTCS staff.

Persons identified as a prisoner at risk, are to be assessed by Forensic Services, Mental Health ACT (MHACT) regarding the threat that the behaviour poses to the prisoner's life and/or health.

### **Risk Assessment**

All prisoners at the AMC will undergo an assessment for risk of suicide and self-harm behaviour by a MHACT staff member within four (4) hours of reception at the AMC.

When a prisoner arrives outside of normal working hours, this assessment will take place at the earliest available opportunity, usually the next morning.

Until such assessment is conducted by MHACT and Corrections Health, all prisoners will be identified by corrections officers as "awaiting health assessment". This classification indicates to all corrections officers that the medical and mental health of the prisoner is unknown. Therefore prisoners are deemed to be 'at risk' until the assessment has been completed.

Prisoners awaiting assessment are to be placed in a cell monitored by a camera. In addition, prisoners waiting to be assessed are to be subject to written observations of not longer than 15 minutes apart.

The Admissions Officer will make all records available to MHACT and Corrections Health to assist with their assessments.

### **Recommendations**

MHACT staff will notify the Admissions Officer of the outcome of their assessment. As a result of the mental health assessment, the prisoner will be classified as:

1. Prisoner At Risk (PAR); or
2. Not requiring observations.

PAR notification will include a recommendation regarding the level of observation that is required and any recommendations relating to accommodation, clothing etc. The Admissions Officer will inform the CO3 of the decision and any recommendations.

The Area CO2 will ensure that the recommendations of MHACT are implemented and all staff involved in the prisoner's care are made aware of any health concerns.

### **Observation regimes**

Prisoners may be subject to one of the following levels of observation:

- **5 minute intervals**  
Prisoners deemed to be at a high risk of suicidal or self-harming behaviour will be placed on 5 minute observations (prisoner at high risk). It may be necessary for a corrections officer to continually observe the prisoner. The discretion for this rests with the CO3. Consideration should be given to removing the prisoner to a mental health facility.

These prisoners will be accommodated in a cell that may be monitored both physically and by camera. The prisoner is to be accommodated in the Crisis Support Unit (CSU).

Consideration will be given to recommendations by MHACT regarding the issue of tear proof smocks, blankets and any restraints. The prisoner is not to have access to any item that may be used for self-harm (e.g. plastic plates or cutlery). To ensure that a prisoner is not in possession of any item that may be used to engage in suicidal or self-harming behaviour, the prisoner will be searched in accordance with the *Searching Policy and Procedure*.

If a prisoner is assessed as being at a higher risk than can be managed by 5 minute observation or continuous observation, or continuous observation is impractical, arrangements may be made to transfer the prisoner from the CSU to another health facility.

- **15 minute intervals**  
Prisoners deemed to be at a risk of suicidal or self-harming (PAR) behaviour will be placed on 15 minute observations.

Prisoners placed on 15 minute observations will be seen by MHACT on a daily basis. Clinical discretion can be used in cases where daily contact may be counter therapeutic.

The prisoner will be accommodated in the Crisis Support Unit.

- **30 minute intervals**  
Prisoners placed on 30 minute observation may be accommodated in the Crisis Support Unit, Management Unit, High Needs Cottage or in a camera cell in a cell block.

### **Commencing an observation regime**

An observation regime may be commenced following the initial mental health assessment, or at any time that a corrections officer has concerns in relation to a prisoner's mental health or behaviour. When initiating an observation regime a corrections officer will advise the area CO2 verbally and submit a report outlining the reasons for this action. The CO2 will advise the area CO3 and MHACT and place the

prisoner in a camera cell. Prisoners may also be placed on an observation regime by MHACT or Corrections Health staff.

MHACT will assess all prisoners placed on an observation regime by a corrections officer as soon as practicable. Following this assessment, MHACT staff will classify each prisoner as:

1. a PAR (5, 15 minute or continual observations);
2. not requiring observations.

If a prisoner is discovered to have engaged in suicidal or self-harming behaviour (as opposed to ideation or vocalisation) until such time as the prisoner has been assessed by MHACT, the prisoner is to be immediately classified as a Prisoner at Risk, 5 minute observations.

#### Removing or downgrading an observation regime

A prisoner's observation regime may be removed by a Prisoner Review Committee. Within the CSU, the observation regime may be amended by the CSU manager or ACTMH, in consultation with each other.

The documentation required to remove observations by a Prisoner Review Committee may also be initiated by MHACT staff. If a prisoner is accommodated in the CSU, the CSU manager may initiate the removal or amendment of observations.

A reduction to the level of the prisoner's observation regime may be made by MHACT staff. If the prisoner is accommodated in the CSU, the CSU manager may also reduce the level of the prisoner's observation, and will be consulted prior to any reduction being made on the recommendation of MHACT.

Where a change of observation level occurs, a Change of PAR Status Form will be completed.

#### Increasing an observation regime

A prisoner may have the observation regime upgraded by MHACT staff or at any time by a corrections officer or any other member of ACTCS or ACTMH staff.

Should a prisoner have their observation level upgraded, the staff member initiating the new observation regime will follow the same procedure for "commencing an observation regime".

#### Conducting observations

When conducting observations, the corrections officers must physically sight the prisoner. When observations are made on prisoners who appear to be asleep, corrections officers should observe the prisoner for a long enough period to be reasonably certain that the prisoner is breathing.

Corrections officers will record observations using the approved Prisoner Observation Form. This record will be written clearly and will be signed and dated by the corrections officer who made the observation. The record will describe the prisoner's behaviour as observed by the corrections officer. The recording of observations must be made at the time of the observation.

### **Notification of PAR**

The Notification of PAR Form must be completed for each prisoner who is classified as a PAR.

### **Transfer of a PAR**

If a PAR is transferred into the custody of another agency, the receiving agency will be advised of the prisoner's mental health status and the reasons why the prisoner is classified as PAR.

### **Prisoner Review Committee**

The Deputy Superintendent will chair a meeting on a weekly basis to review all prisoners currently on observation regimes. The meeting will assess the need for observation regimes to remain in place or to amend observation regimes and discuss prisoner placement and management.

The Prisoner Review Committee consists of the:

- Deputy Superintendent;
- CO3;
- Crisis Support Unit Manager;
- Classification and Case Management Coordinator;
- MHACT representative; and
- Corrections Health representative.

The following persons may attend as required:

- Prisoner's case officer;
- Indigenous liaison officer; and
- Prisoner's case manager.

### **Escorts**

All prisoners will be subject to 5 minute observations during escorts.

Where following an assessment by MHACT a prisoner is deemed to be at risk of suicide or self-harm, additional considerations may be made with regard to the following:

- the functionality of the escort vehicle (i.e. lighting, camera and communications systems);
- the type of vehicle for escort; and
- the physical location of the prisoner in the vehicle i.e. vehicle compartment.

Where practicable, prisoners at risk will be transported in a sedan or station wagon.

### **Suicidal or self-harming behaviour during escort**

If during an escort, a prisoner is observed engaging in suicidal or self-harming behaviour, the Senior Escort Officer (SEO) will contact the control room immediately and:

- divert to the nearest correctional facility or police station; or
- stop the vehicle and respond to the situation.

The SEO, along with the CO3, will determine the appropriate course of action. This decision will take into account the degree of suicide or self-harm risk, the number of prisoners on board, and any other considerations as appropriate.

#### Medical Observations

Corrections Health staff may recommend that a prisoner be placed on observation for medical reasons.

The level of observations and their removal will be subject to a Doctor's approval.

#### **Forms/templates**

Notification of PAR Form

Change of PAR Status

Prisoner Observation Form

#### **Related Policies and Procedures**

Prisoner at Risk Procedure

Management of Prisoners in the Crisis Support Unit Policy

Searching Policy

Searching Procedure

Use of Force Policy

Use of Force Procedure

Use of Restraints Policy

Use of Restraints Procedure

Incident Response Policy

Incident Response Procedure

Incident Reporting Policy

Incident Reporting Procedure

Code Pink – Medical Emergency

Code Black – Death

Escorts Policy

Escorts Procedure