

Australian Capital Territory

Corrections Management (Prisoner Classification) Policy 2009

Notifiable instrument NI2009-145

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 Classification) Policy 2009*.

2 Commencement

This instrument commences on the day after it is notified.

3 Policy

I make the

PRISONER CLASSIFICATION 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 CLASSIFICATION POLICY

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Purpose

To outline the prisoner classification policy.

Authority

Legislation

Corrections Management Act 2007 section 14 and 80.

Policy

Principles

Security classification is a dynamic process in which the prisoner has a key role. It is an open process whereby prisoners are made aware of the procedures involved in assessing their individual risks and needs, and one in which they are encouraged to contribute to how they will be classified during their imprisonment.

The basic principles underpinning the assessment of a prisoner’s security classification are to ensure that:

- prisoners are given the lowest necessary security classification to accommodate their risks and needs, in the context of available resources, for the purpose of ensuring:
 - the prisoner’s continuing custody;

- the good order and security of the AMC;
- the prisoner's ability to undertake programs that address their offending behaviour;
- the safety and protection of staff, the community (including victims) and other prisoners; and
- appropriate decisions regarding the security implications of escorts.
- prison security is managed efficiently and effectively by the placement of prisoners in a range of accommodation options at varying levels of security;
- decisions in regard to a prisoner's security classification and/or placement are made on the basis of individually assessed risks and needs;
- individual security classifications are undertaken in a logical and consistent manner;
- risk of re-offending is considered in the context of both risk within the prison system to inform placement and risk in community settings to inform escort; and
- as far as practicable, prisoner security classifications and placements are linked to the hierarchy of privileges.

Security ratings

To the greatest extent possible, decisions regarding the classification of prisoners will be based on balancing the best interests of the prisoner and the risk the prisoner may pose to the security and good order of the facility, and safety of those within.

Prisoners may be assigned a minimum, medium or maximum security rating. A prisoner assigned to maximum security will present a high risk of escape, violence, and/or disruption to the safe, secure, and orderly operation of the AMC.

A prisoner assigned to medium security will be complying with their Rehabilitation Plan and present a moderate risk of escape, violence, and/or disruption to the safe, security and good order of the AMC.

A prisoner assigned to minimum security will be complying with their Rehabilitation Plan and prison rules, and will present a minimal risk of escape, violence, and/or disruption to the safe, secure and orderly operation of the AMC.

Prisoner Placement

Placement options include cells for men (single, buddy and double) and cottages for both men and women.

Where possible, prisoners will be assigned to accommodation with a security category consistent with their individual security classification. Every effort will be made to place the prisoner in the appropriate accommodation however, if this is not possible, the prisoner must be assigned to accommodation with a higher security category. The following security classifications should be applied, as far as practicable and in accordance with available accommodation to the AMC accommodation styles:

MEN

- Cell Block – Maximum security
- Cell Block – Medium security

- Cottages – Minimum Security
- Crisis Support Unit (CSU) – Risk of self-harm

WOMEN

Female prisoners should be placed in cottage accommodation unless there is evidence that a more restrictive level of accommodation is necessary. Women should be placed on the basis of needs and obvious behaviour as follows:

- Challenging behaviour – High Needs Cottage
- General conformance – Cottage accommodation
- Crisis Support Unit (CSU) – Risk of self-harm

Remand Prisoners

The initial placement/classification recommendation of remand prisoners is the responsibility of the CO1 Admissions. This will be endorsed by CO2 and CO3. All unsentenced male prisoners will initially be placed in the maximum security area unless there is evidence that a less restrictive level of accommodation is necessary. This is to allow time to compile the documentation necessary for the CO3 to complete the Initial Placement of Remand Prisoner Form and the Remand Review Team to assess the prisoners risk and needs (within 7 days).

All unsentenced female prisoners will initially be placed in general cottage accommodation unless there is evidence that a more restrictive level of accommodation is necessary.

A more comprehensive review of this placement will be conducted within 7 days of admission and will be the responsibility of the Remand Review Team (RRT). The RRT team will consist of medical staff, mental health workers, caseworkers and senior corrections officer.

The RRT will meet weekly.

The RRT will consist of:

- Custodial officer grade 3;
- Corrections Health;
- Mental Health ACT;
- Drug and alcohol Staff;
- Indigenous liaison Officer if prisoner is indigenous;
- Deputy Superintendent;
- Classification Case Manager;
- Classification Co-ordinator;
- Case Manager- Probation & Parole officer (if required); and
- Supervisor (if required).

The primary objective of placement of remandees is to:

- ensure the safety of remandees, staff and visitors;
- to address immediate needs; and
- to ensure that remandees attend Court.

Primary considerations in the placement of remandees include: medical and mental health issues, predatory behaviour and vulnerability. Factors considered are similar to classification of sentenced prisoners although there will be less information available.

The following information must be considered at placement:

- the reason for the detention, including the nature of any offence;
- the risks posed if the prisoner were to escape;
- the risk of the prisoner escaping;
- the risks posed by the prisoner while at a correctional centre; and
- the risks to the prisoner of being accommodated with particular prisoners or in particular areas at a correctional centre.

Other factors that may be considered include:

- outstanding charges;
- risk to self or others;
- known history of violence or institutional misconduct;
- cooperation within the remand centre;
- mental health or instability factors;
- health status; and
- protection issues.

Remandees should be given a security rating appropriate to the assessed risk and need after consideration of the factors above. Assessments underpinning the classification of remand prisoners and justification for the placement decision will be documented.

If housing a prisoner in a buddy or shared cell, the *Allocations of Accommodation Policy* should be considered.

Remand and sentenced prisoners are to be accommodated separately except in exceptional circumstances.

The RRT makes a recommendation on prisoner classification and placement to the superintendent.

Review of RRT decision

Prisoners may apply to the Superintendent in charge of remand to have their classification decision reviewed and supply reasons why it should be considered. Applications will be considered not more frequently than four weekly unless the prisoner is deemed to be at risk or a risk to others.

The Remand Review Team may instigate a discretionary review at any time for the following reasons:

- the prisoner is charged with further offence(s);
- there are significant issues with the prisoner's behaviour;
- security intelligence information reveals a potential security risk; and/ or
- requested by the Superintendent or Deputy Superintendent.

Role of Sentence Planning Group

The Sentence Planning Group (SPG) will meet at least weekly and performs the prisoner security classification function. The SPG also approves and reviews Prisoner Rehabilitation Plans. The SPG has the following core membership:

- Case Management Classification Coordinator (Chair);
- Classification Case Manager;
- Deputy Superintendent; and
- Custodial officer grade 3.

If the meeting of the SPG is to go beyond a paper review, the prisoner and their Case Manager (PPO) or Case Officer (or their supervisor) should be present.

Other relevant people will be invited to attend the SPG as necessary. They will be notified of their required attendance by the Case Management Classification Coordinator. (Any dispute regarding required attendance at the SPG will be referred to the Offender Services Manager for resolution).

Other members of the SPG may include:

- Case Manager (PPO);
- Case Officer;
- Vocational Education and Training representative;
- The prisoner's family or significant others (in person or via written submission);
- Offender Intervention Programs Unit representative;
- Corrections Health representative;
- Chaplaincy representative;
- Indigenous Liaison Officer;
- Community Liaison Officer;
- Mental Health representative;
- Manager of the Crisis Support Unit;
- Team Leader from the Probation and Parole Unit; and
- Drug and Alcohol Staff.

Wherever possible, decisions regarding the classification of prisoners will be based on a balanced assessment of the best interests of the prisoner and the risk the prisoner may pose to the security and good order of the facility and to the safety of those within.

When making classification decisions, the SPG will consider:

- the safety, security, health (physical and mental) and welfare needs of the prisoner; and
- the safety and security of staff, other prisoners, visitors and the community.

When deciding a prisoner's security classification, the SPG must consider the following:

- the reason for the detention, including the nature of any offence for which the prisoner is detained;
- the risks posed by the prisoner if the prisoner were to escape;
- the risk of the prisoner escaping;

- the risks posed by the prisoner while at a correctional centre;
- the risks to the prisoner of being accommodated with particular prisoners or in particular areas at a correctional centre; and
- consideration should be given if the prisoners association with other prisoners poses a risk to the safety and security of either the Centre or could increase risk to the community on release.

The following table outlines what information should be considered at classification and where that information can be sourced. This information when available should be compiled prior to the SPG meeting by the Classification Case Manager.

Information	Sources
Sentencing comments	ACT Courts, Sentencing Administration Section (SAS)
Nature of offence	Warrant/s, SAS, Statement of Facts
Length of sentence	Warrant/s, SAS
Offence history	Australian Federal Police (AFP) (SAS), Case Manager
History of violence or institutional misconduct	ACT Corrective Services and other Australian Corrective Services Departments
Escape risk	AFP (criminal history), Intel and other Correctional Services Departments
Risk to self or others	PPU, Mental Health ACT
Family relationships	Pre-sentence report, Case Manager
Outstanding charges	PPU, Courts
Mental and psychological stability	Mental Health ACT
Victim Issues	Victim Liaison Officer
Motivation	Case Manager
Education	Case Manager
Substance abuse	Case Manager, Alcohol and Other Drugs Worker
Other vulnerability issues such as age, sexual preference, physical appearance, physical disability, cultural identity	Case Manager, Mental Health ACT, Indigenous Liaison Officer

Assessments underpinning classification and justification for the classification decision must be well documented on the relevant classifications forms.

The SPG makes a recommendation on prisoner security classification and placement to the Superintendent.

Initial Protection Rating and Placement of Sentenced Prisoners

Upon admission, a prisoner will be processed in accordance with the *Admission Procedure*.

The initial placement/classification recommendation of sentenced prisoners is the responsibility of the CO1 Admissions Officer. This will be endorsed by the CO2 and CO3.

The CO2 will recommend the prisoners placement and this will be endorsed by the CO3.

All sentenced male prisoners will initially be placed in the maximum security area unless there is evidence that a less restrictive level of accommodation is necessary. This is to allow time to compile the documentation necessary for the Classification Case Manager to complete the Initial Security Classification of a Sentenced Prisoner Form and the SPG to assess the prisoners risk and needs (within 7 days).

All sentenced female prisoners will initially be placed in general cottage accommodation unless there is evidence that a more restrictive level of accommodation is necessary.

Security Classification of sentenced prisoners

Recommending a security classification is the responsibility of the SPG and will take into consideration information received from Corrections Health, Mental Health ACT, and the Intelligence Officer. The Superintendent must agree and sign off on the security rating.

The aim of Security Classification and placement is to:

- ensure the protection and safety of staff, the prisoner and the other prisoners;
- allow observation of the prisoner's behaviour and stability; and
- allow commencement of the induction process including giving information about prison rules and opportunities in prison.

The following information will be considered at Security Classification:

- the reason for the imprisonment, including the nature of any offence;
- the risks posed by the prisoner to the community if the prisoner were to escape;
- the risk of the prisoner escaping;
- the risks posed by the prisoner while at a correctional centre; and
- the risks to the prisoner of being accommodated with particular prisoners or in particular areas at a correctional centre.

Additional information to be considered includes:

- outstanding charges;
- risk to self or others;
- known history of violence or institutional misconduct;
- mental health;
- health status; and

- protection issues.

Assessments underpinning placement and justification for the placement decision will be well documented on the relevant classification forms.

Review of Security Classification (within six months or at discretionary reviews)

The SPG will conduct a review of the prisoner's initial security classification after six months.

The following information must be considered at this review stage:

- the reason for the detention, including the nature of any offence;
- the risks posed by the prisoner if the prisoner were to escape;
- the risk of the prisoner escaping;
- the risks posed by the prisoner while at a correctional centre; and
- the risks to the prisoner of being accommodated with particular prisoners or in particular areas at a correctional centre.

Other factors to be considered at the review stage include:

- cooperation within the prison including workplace and program activities;
- misconduct and/or incident reports;
- motivation – progress and level of commitment to achieving rehabilitation plan objectives;
- case management records;
- reports by Corrections Health and Mental Health;
- reports from security intelligence;
- reports from the case officer and other involved with the prisoner; and
- any other relevant information.

A discretionary review may be instigated at any time for the following reasons:

- the prisoner is charged with further offence(s);
- there are significant issues with the prisoner's behaviour;
- security intelligence information reveals a potential security risk; or
- at the discretion of the Superintendent or Deputy Superintendent.

Assessments underpinning the Review of Security Classification and justification for the classification decision must be documented on the relevant classification review forms.

Fine defaulters

Where possible, prisoners placed in custody for the sole purpose of fine default, should be given a minimum security rating and placed in cottage accommodation.

Transitional Release Centre

A prisoner assigned to transitional release will have addressed core offending behaviour through criminogenic treatment programs, will be compliant with their Rehabilitation Plan and prison rules, will qualify as minimum security and will be towards the end of their sentence.

No prisoner will be assigned a TRC rating until a risk assessment is completed. Assessment of risk should include consideration of:

- victim issues;
- community safety; and
- community perceptions.

Where risk concerning these issues is identified, it may be necessary for the Sentence Planning Group to seek approval from the Executive Director prior to allocating a prisoner a transitional release rating.

Juveniles

The AMC will occasionally be required to house juvenile prisoners.

Juvenile prisoners will be given an initial placement, initial security classification and security classification review as per the guidelines for adult prisoners.

Juvenile remandees will be placed as per the guidelines for adult remandees.

Juvenile prisoners and remandees must have a “**J**” next to their security classification.

Juvenile prisoners and remandees under the age of 18 must not mix with adult prisoners or remandees.

Escapees

A prisoner who has attempted escape from custody will be classified accordingly with consideration given to the risk of further escape attempts.

A prisoner who has attempted escape must have an “**E**” next to their security classification.

Appellants

A prisoner who is appealing their sentence or conviction is considered a sentenced prisoner and will be classified accordingly.

Forms/templates

Initial Remand Prisoner Security Classification Form
Review Remand Prisoner Security Classification Form
Initial Security Classification of a Sentenced Prisoner Form
Security Classification Review of a Sentenced Prisoner Form

Related Policies and procedures

Prisoner Classification Procedure
Allocations of Accommodation Policy
Admission Procedure