

Australian Capital Territory

Corrections Management (Prisoner Complaints and Grievances) Policy 2009

Notifiable instrument NI2009-148

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 Complaints and Grievances) Policy 2009*.

2 Commencement

This instrument commences on the day after it is notified.

3 Policy

I make the

PRISONER COMPLAINTS AND GRIEVANCES 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 COMPLAINTS AND GRIEVANCES POLICY



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Purpose

To outline a prisoner complaints and grievances policy at the AMC.

Authority

Legislation

Corrections Management Act 2007, section 14 and chapter 7.

Policy

Principles

Prisoners may make complaints regarding their management or the operations of the AMC.

Issues raised and/or complaints made, will be processed, investigated and followed up in a structured and impartial manner.

Complaints handling

Prisoners are initially to raise complaints with the CO1 in their accommodation area. The only exception to this is a complaint relating to one or more of the following issues:

- allegations of assault (including sexual assault, or physical assault) by a staff member;
- inappropriate uses of force, including the use of restraints; and
- complaint about an incident.

Complaints of this nature may be raised directly with the Deputy Superintendent. Should a Corrections Officer of any rank below Deputy Superintendent become aware of a complaint of this nature the matter is to be referred directly to the Deputy Superintendent.

Where resolution is not possible at the CO1 and CO2 level, the CO2 will refer the complaint as soon as possible to the CO3 of the area. This process will continue until such time as the complaint reaches a level at which it can be resolved.

Privacy and confidentiality will be respected in all instances. Details of matters raised will be made available only to those staff that need to know (due to the need for them to provide a response or other comment/action), except where the prisoner has given their consent for information to be discussed with other persons.

It is a disciplinary matter to interfere in any way with a prisoner's complaint.

External handling of complaints

Prisoners will be made aware of external avenues for complaint through the Prisoner Handbook. These include the Official Visitor, the Ombudsman, the AFP, the Public Advocate, and the Human Rights Commissioner. These agencies may be contacted by using the Common Auto Dial List on the Prisoner Telephone System.

Investigations

Prisoners will be advised of the outcome of ACTCS investigations relating to the issue raised. Prisoners should be updated on the progress of their issue raised at agreed follow up dates, and in cases where it has not been finalised within 14 days.

Vexatious or untruthful complainants

A prisoner will not make a formal complaint knowing that the complaint is baseless. Should a prisoner knowingly make a false complaint that has the potential to impact upon the rights and reputation of others and that complaint is subsequently shown to be baseless, this will be considered as a disciplinary matter and will be dealt with accordingly.

Forms and templates

Prisoner Complaint Form

Related policies and procedures

Prisoner Complaints and Grievances Procedure

Prisoner Discipline Procedure