

Australian Capital Territory

# Corrections Management (PDC: Smoking) Policy 2011

Notifiable instrument NI2011-381

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 (PDC: Smoking) Policy 2011*.

**2 Commencement**

This instrument commences on the day after it is notified.

**3 Policy**

I make the

PDC: SMOKING POLICY

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

Bernadette Mitcherson  
Executive Director  
ACT Corrective Services  
6 July 2011



## PERIODIC DETENTION CENTRE:



## SMOKING POLICY

<b>Purpose</b>	<b>1</b>
<b>Authority</b>	<b>1</b>
<b>Policy</b>	<b>1</b>
Principles	1
Prohibited areas	2
Permissible areas	2
Smoking on duty	2
Smoking reduction/cessation approaches	2
Possession restrictions	2
Policy violations	2
<b>Forms/templates</b>	<b>2</b>
<b>Related Policies and Procedures</b>	<b>2</b>
<b>Version Control</b>	<b>3</b>

### **Purpose**

To outline the Periodic Detention Centre (PDC) smoking policy.

### **Authority**

#### Legislation

*Corrections Management Act 2007*, sections 14, 81, 82, 86, and Chapter 10.

*Crimes (Sentence Administration) Act 2005*, chapter 5.

*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 detainees 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), detainees and any other person within the PDC.

### **Prohibited areas**

Smoking is prohibited in all internal areas of the PDC including cells, units, 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 detainees and staff.

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

### **Permissible areas**

Smoking is only permitted in designated smoking areas, such as the 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 CO2.

### **Smoking reduction/cessation approaches**

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

### **Possession restrictions**

Staff members, detainees, 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 detainee disciplinary process.

Contractors, volunteers and others 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**

Nil

## **Related Policies and Procedures**

PDC Contraband Policy

PDC Detainee Discipline Procedure

## Version Control

Owner: Correctional Officer Grade 4 (CO4), Periodic Detention Centre  
Document Location: <http://www.legislation.act.gov.au/ni/current/c.asp>  
Review Cycle: This policy should be reviewed every 24 months or when associated ACTCS policies or procedures are amended.

<b>Amendment History</b>				
<b>Version no.</b>	<b>Issue date</b>	<b>Amendment details</b>	<b>Author</b>	<b>Approval</b>
1.0	July 2011	Initial policy	Governance Unit, ACTCS	Executive Director, ACTCS