

Australian Capital Territory

Corrections Management (PDC: Conflict Resolution) Policy 2011

Notifiable instrument NI2011-444

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: Conflict Resolution) Policy 2011*.

2 Commencement

This instrument commences on the day after it is notified.

3 Policy

I make the

PDC: CONFLICT RESOLUTION POLICY

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

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**PERIODIC DETENTION CENTRE:
CONFLICT RESOLUTION POLICY**



Purpose	1
Authority	1
Policy	1
Principles	1
Staff awareness	1
Preventative action	2
Disciplinary action	2
Related Policies/Procedures	2

Purpose

To outline the Conflict Resolution Policy for the Periodic Detention Centre (PDC).

Authority

Legislation

Corrections Management Act 2007, section 14.

Crimes (Sentence Administration) Act 2005, chapter 5.

Policy

Principles

Conflicts in correctional centres can arise suddenly and for apparently little reason. This may simply be a reaction to stress and frustration or could relate to events that have occurred outside the correctional centre.

Disputes can also escalate rapidly. Instead of resorting to threats or violence, conflict between detainees or detainees and staff, should be resolved (wherever possible):

- openly, promptly, and calmly;
- by negotiation without the need for threat or overt pressure;
- in a manner that allows all concerned to have their say; and
- by allowing dignity and self respect to be maintained.

Staff awareness

In their daily dealings with and observation of detainees, corrections officers will become aware of current or potential conflicts between detainees. Where these arise staff should:

- attempt to discuss the issues with either or both parties to understand the issues and seek to resolve the conflict. This should be done privately;
- offer to mediate between the parties, or be present while the matter is discussed;
- ask the parties to identify a person whom they believe may help with the resolution of the conflict and if possible, refer the matter to such a person. Detainees should be encouraged to discuss matters with a staff member if appropriate;

- reinforce with all parties, as frequently as possible, that most disputes can be resolved, but that threats or violence will lead to disciplinary action, whatever the rights and wrongs of the matter; and/or
- seek to clarify with both parties exactly what they are seeking to achieve and what they think the other party is seeing to achieve.

As some disputes arise from criminal activity, the detainee/s may refuse to discuss issues with corrections officers.

Corrections officers who are aware of detainees who are experiencing difficulty in resolving conflict appropriately, should raise the possibility of the detainee seeking advice from available community supports, for example Relationship Australia, The Salvation Army or Canberra Men's Centre. For a detainee who has a Probation and Parole Case Officer, this can be discussed with them and a formal community referral can be arranged.

Preventative action

While resolving the conflict is the most desirable aim, some conflicts present a serious risk to the security and good order of a correctional centre and corrections officers may need to consider whether some form of preventative action is needed.

This might involve (where the conflicting parties are detainees):

- a change of accommodation for one or more parties; and/or
- breach action or disciplinary action against one or more parties.

These actions must be in accordance with the *Crimes (Sentence Administration) Act 2005*, *PDC Segregation Policy* and *PDC Detainee Discipline Procedure*.

Disciplinary action

Corrections officers should be mindful that conflict resolution is not a substitute for disciplinary action. Behaviour that constitutes a disciplinary breach should be addressed in accordance with the *PDC Detainee Discipline Procedure*. However, the conflict resolution process should be used as a parallel process to discuss the detainee's conduct openly.

Related Policies/Procedures

PDC Detainee Discipline Procedure
 PDC Incident Response Policy
 PDC Incident Report Policy
 PDC Segregation Policy
 PDC Use of Force Policy
 PDC Use of Force Procedure