

Corrections Management (Aboriginal and Torres Strait Islander Detainees) Policy 2011

Notifiable instrument NI2011-705

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 (Aboriginal and Torres Strait Islander Detainees) Policy 2011*.

2 Commencement

This instrument commences on the day after it is notified.

3 Policy

I make the

ABORIGINAL AND TORRES STRAIT ISLANDER DETAINEE POLICY

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

4 Revocation

This instrument revokes notifiable instrument NI2010-631.

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Executive Director
ACT Corrective Services
17 November 2011



Alexander Maconochie Centre (AMC)

ABORIGINAL AND TORRES STRAIT ISLANDER DETAINEE POLICY



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Purpose

To outline the policy to ensure the appropriate reception and management of Aboriginal and Torres Strait Islander detainees at the Alexander Maconochie Centre (AMC).

Authority

Legislation

Corrections Management Act 2007, section 14.

Policy

Principles

It is recognised that Aboriginal and Torres Strait Islander detainees have particular cultural needs that differ from the wider detainee population.

ACT Corrective Services is committed to the implementation of the recommendations of the Royal Commission into Aboriginal and Torres Strait Islander Deaths in Custody (RCIADIC) report regarding the safe care and conduct of Aboriginal and Torres Strait Islander people in correctional centres.

Admission

The Indigenous Liaison Officer (ILO) will see all Aboriginal and Torres Strait Islander detainees as soon as practicable following admission/ induction.

Sentence Planning Group

The ILO will attend the Sentence Planning Group and Remand Review Team whenever Aboriginal and Torres Strait Islander detainees are being reviewed.

Separate confinement and segregation

Particular consideration should be given to the impact of separate confinement and segregation on Aboriginal and Torres Strait Islander detainees.

The ILO will be available to all Aboriginal and Torres Strait Islander detainees in separate confinement and segregation as required.

Under the *Segregation Policy*, when segregating a detainee for safety and security reasons, regard must be given to any relevant known cultural consideration as well as any likely impact of the segregation upon the health and wellbeing of the detainee.

Accommodation

Under the *Shared Cell Policy*, Aboriginal and Torres Strait Islander detainees should be accommodated together where this is requested. This is subject to operational requirements and other factors as outlined in the *Shared Cell Policy*.

In the event that an Aboriginal and Torres Strait Islander detainee is placed in the Crisis Support Unit, the Management Unit, or in the case of female detainees, the High Needs Cottage, the ILO must be informed.

Recreation, programs, and education

Recreational programs and activities that are culturally appropriate are provided within the activities centre, designated compound areas, and the women's community centre.

Representatives of community-based organisations may be granted access to the AMC to conduct programs and/or education for Aboriginal and Torres Strait Islander detainees. Prior approval for this must be sought and granted from the Superintendent.

Representatives of community-based organisations granted access to the AMC are subject to policies and procedures relating to entry into the AMC.

Indigenous meeting place

Aboriginal and Torres Strait Islander detainees of the same gender will be permitted to meet for the purpose of providing communal, cultural and spiritual support. This will be subject to operational requirements and approval by the Superintendent.

Health services

Aboriginal and Torres Strait Islander detainees will have access to Aboriginal and Torres Strait Islander health services in consultation with Corrections Health Program.

Non-Aboriginal and Torres Strait Islander detainees who have accessed Aboriginal and Torres Strait Islander health services in the community may request to do so in the AMC. Access will be subject to the agreement of the Aboriginal and Torres Strait Islander health services.

Notification: Aboriginal and Torres Strait Islander detainees

If any detainee is taken to hospital and is likely to be admitted overnight the next of kin must be notified. If the detainee is Aboriginal or Torres Strait Islander the AMC Indigenous Liaison Officer (ILO) should also be notified.

As Aboriginal and Torres Strait Islander detainees have the same rights to privacy as other detainees, their consent is sought before notification takes place.

At the time of induction all detainees are asked if they consent to their nominated next of kin and/ or the AMC ILO in notify of transfers to hospital.

A detainees consent may be updated at any time.

Cultural celebrations and activities

Several significant Aboriginal and Torres Strait Islander cultural events occur throughout the year. The following events are of cultural significance for Aboriginal and Torres Strait Islander people. These events will be held subject to the Superintendent's agreement to operational requirements:

- National Aboriginal and Islander Day Observance Committee (NAIDOC) Week (first full week in July) – NAIDOC Week is a time for observance and to share in the historical and contemporary aspects of Aboriginal and Torres Strait Islander culture.
- National Sorry Day (26 May) – Sorry Day is held each year on the anniversary of the tabling in Federal Parliament of the report of the National Inquiry into the separation of Aboriginal and Torres Strait Islander children from their families, and is a time to honour members of the Stolen Generations.
- National Reconciliation Week (27 May-3 June) – National Reconciliation Week offers people across Australia the opportunity to focus on reconciliation, to hear about the culture and history of Australia's Indigenous people, to explore new and better ways of meeting challenges in our communities, and to contemplate turning around the continuing disadvantage experienced by Aboriginal and Torres Strait Islander Australians.

Aboriginal and Torres Strait Islander Cultural Awareness Training

All Corrections Officers will undertake Aboriginal and Torres Strait Islander Cultural Awareness Training as part of their recruit course. Follow-up refresher training will be conducted periodically to enhance cross-cultural communication with Aboriginal and Torres Strait Islander detainees.

Forms and templates

N/A

Related policies and procedures

Shared Cell Policy
Segregation Policy