

Australian Capital Territory

Corrections Management (Next of Kin) Policy 2012

Notifiable instrument NI2012-206

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 (Next of Kin) Policy 2012*.

2 Commencement

This instrument commences on the day after it is notified.

3 Policy

I make the

NEXT OF KIN POLICY

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

Bernadette Mitcherson
Executive Director
ACT Corrective Services
17 April 2012



**ACT Corrective Services
All Facilities & Operations**



NEXT OF KIN POLICY

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Purpose

To outline the policy and procedure to notify a detainee's next of kin of any unexpected serious injury/illness, death or other urgent circumstances.

Authority

Legislation

Corrections Management Act 2007, section 14 and 87(2) (c).

Policy

Principles

A detainee's next of kin should be aware of any unexpected major health crisis or other urgent change to a detainee's life inside a correctional centre.

A detainee's next of kin/emergency contact is to be nominated by the detainee on admission to a correctional centre.

Definitions

The next of kin is the person a detainee nominates upon reception at the correctional facility, who is (or persons who are) most closely related to the detainee, who will be contacted in the event of an emergency.

A serious injury or illness is one which requires admittance to an external medical facility, or in the opinion of the Superintendent warrants notification of a detainee's next of kin.

Contacting Next of Kin

Serious illness/injury

In the event of any unexpected serious injury or illness that requires a detainee to be admitted to an external medical facility, the Deputy Superintendent will advise the detainee's next of kin.

In the event of any serious injury, illness or other urgent circumstance which does not require a detainee to be admitted to an external medical facility, the Deputy Superintendent will consult with the Superintendent as to whether the detainee's next of kin warrants notification. Where a decision is made to do so, the Deputy Superintendent will be responsible for contacting the detainee's next of kin. In all cases where a decision is made regarding notification of the detainee's next of kin, a case note must be made stating the reasons for the decision.

If the detainee is a foreign national, the Deputy Superintendent must liaise with the detainee to solicit whether the relevant embassy or consulate will be advised of the matter. If the detainee is unable to be consulted due to the nature of the injury/illness, the Deputy Superintendent will consult with the ACTCS Business, Policy and Coordination Manager to determine whether the embassy or consulate should be advised. Where determined, the Deputy Superintendent is responsible for advising the relevant embassy or consulate. The Deputy Superintendent must submit a case note detailing the decision regarding whether the embassy or consulate is contacted, including details of the notification where applicable.

If the detainee has a mental or physical disability and is managed by the Public Advocate, the Deputy Superintendent will advise the Public Advocate.

If a detainee is taken for medical treatment at an external medical facility, but it is expected that they will return the same day, the Deputy Superintendent must ensure a corrections officer checks whether the detainee has a visit scheduled for that day. If a visit has not been booked, then no further action is necessary unless the circumstances change and the detainee is required to stay externally overnight. If a visit has been scheduled, a staff member must notify the person/s who is intending to visit. If the visitor has been nominated by the detainee as next of kin, then they may be told about the detainee's medical condition. If the visitor is not next of kin, they are only to be advised that the detainee is attending a medical appointment and will not be available for a visit that day.

Death

In the event of the death of a detainee in the ACT, the Deputy Superintendent is responsible for contacting and notifying ACT Policing.

ACT Policing are responsible for advising the detainee's next of kin or, if the next of kin are located outside the ACT, the appropriate organisation. For example the relevant police station if the next of kin is located in another state or territory.

The Deputy Superintendent must liaise with ACT Policing to ensure that the relevant embassy or consulate is contacted if the detainee is a foreign national, or if the detainee is managed by the Public Advocate, the Public Advocate is contacted.

If there are no next of kin listed and ACTCS are unable to establish any other connection with a relation or friend for ACT Policing to notify, following consultation with the Superintendent, the Deputy Superintendent will notify the Public Trustee.

Recording Notification

A case note detailing the notification must be completed for the detainees file.

Forms/Templates

Officers Report

Case Note

Related Policies and Procedures

Incident Reporting Policy

Incident Reporting Procedure

Code Black Procedure