

Australian Capital Territory

Corrections Management (Contraband) Policy 2012

Notifiable instrument NI2012-316

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 (Contraband) Policy 2012*.

2 Commencement

This instrument commences on the day after it is notified.

3 Policy

I make the

CONTRABAND POLICY

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

4 Revocation

This instrument revokes notifiable instrument NI2011-124.

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Executive Director
ACT Corrective Services
20 June 2012

CONTRABAND POLICY

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Purpose

To outline the policy to identify items designated as contraband within ACT correctional centres.

Authority

Legislation

Corrections Management Act 2007, Part 9.5 and sections 14, 81, 82 & 145.

Policy

Principles

Specific items may be prohibited under section 81 of the *Corrections Management Act 2007* (the Act) if there are reasonable grounds for believing they are illegal, offensive, or prejudicial to the health of any person or to the security or good order of ACT correctional centres.

Prohibited items

Possession of a prohibited article is an offence under section 82(1) of the Act.

It is also an offence to take a prohibited article into a correctional centre or give a prohibited article to a detainee under section 145(1) of the Act.

Detainees

Any detainee found to be in possession of a prohibited article will have that article confiscated and the possession investigated.

The following items may not be in possession of a detainee within an ACT correctional centre:

- mobile phones and accessories, including but not limited to SIM cards, batteries, chargers and earpieces;
- computers – unless approved by the Superintendent under a rental agreement;
- USB/ Flash drives;

- portable TV/ DVD players – unless approved under a rental or purchase agreement;
- intoxicating liquor (commercial or homemade);
- non-prescription drugs and other illegal substances;
- implements used for administering drugs and illegal substances – including but not limited to hypodermic equipment, cones, bongs, etc;
- prescription drugs other than those authorised by medical staff;
- any implement designed as or able to be used as a weapon or to assist in aiding an escape;
- scissors, firearms, ammunition, knives, any cutting blade, and replicas of the aforementioned;
- tattoo guns (commercial or homemade);
- property belonging to another person;
- cigarette lighters;
- aerosol spray canisters;
- compact discs (CDs) or digital versatile disks (DVDs) other than those authorised;
- recording devices of any format (including MP3 Players);
- currency;
- cooking equipment – unless approved by the Superintendent;
- explosives or explosive devices (commercial or homemade);
- paint – other than when approved for hobbies or industries;
- oil – other than when approved for industries;
- acid;
- glue – other than when approved for hobbies or industries;
- herbicide/fungicide/insecticide – other than when approved for industries;
- keys (commercial manufacture or homemade), except cell/room privacy key;
- vegemite;
- tools and cutting implements of any kind;
- offensive material; and
- any other item deemed inappropriate by the Superintendent.

The following items are specific articles that may not be in the possession of a detainee within the Alexander Maconochie Centre (AMC) or Court Transport Unit (CTU), but are allowed at the Periodic Detention Centre (PDC):

- cigarette lighters;
- currency (detainees at the PDC may have up to thirty dollars in coin to use in the vending machines available); and
- vegemite.

Visitors

Visitors are normally only permitted to visit the AMC, except in exceptional circumstances with approval from the Superintendent. Visitors may not be in possession of the following items at any time while on correctional centre grounds (including the car park):

- intoxicating liquor (commercial or homemade);
- non-prescription drugs and other illegal substances;
- implements used for administering drugs and illegal substances – including but not limited to hypodermic equipment, cones, bongs, etc;

- any implement designed as or able to be used as a weapon or to assist in aiding an escape;
- scissors, firearms, tools, ammunition, knives, any cutting blade, and replicas of the aforementioned;
- tattoo guns (commercial or homemade);
- explosives or explosive devices (commercial or homemade); and
- any other item deemed inappropriate by the Superintendent.

Visitors may not enter the AMC beyond the metal detector, or enter the PDC or CTU in possession of the following items:

- mobile phones and accessories, including but not limited to SIM cards, batteries, chargers and earpieces;
- computers;
- USB/Flash drives;
- prescription drugs other than those authorised by a medical practitioner and used for emergency treatment of a medical condition (e.g. asthma inhalers, angina medication). Only an amount that may be reasonable given the length of the visit will be permitted;
- cigarette lighters, matches and cigarettes;
- aerosol spray canisters;
- compact discs (CDs) or digital versatile disks (DVDs);
- recording devices of any format (including MP3 Players);
- cameras/video cameras;
- currency;
- paint;
- oil;
- acid;
- glue;
- herbicide/fungicide/insecticide;
- keys;
- books / magazines;
- tools and cutting implements of any kind;
- offensive material;
- hats/caps (except in accordance with the *Visits Policy*); and
- any other item deemed inappropriate by the Superintendent.

Corrections Officers and other ACTCS employees/contractors

Corrections Officers, ACTCS employees or contractors may not bring the following items past the entrance to the AMC Gatehouse, into the Control Room/Courts/Cells of the CTU, or into the PDC unless written consent is given by the Superintendent:

- mobile phones and accessories, including but not limited to SIM cards, batteries, chargers and earpieces;
- computers;
- USB/Flash drives;
- cameras/video cameras;
- prescription drugs, other than those authorised by a medical practitioner – these must be in a box with the doctor's details on the label;
- intoxicating liquor (commercial or homemade);
- non-prescription drugs and other illegal substances;

- implements used for administering drugs and illegal substances – including but not limited to hypodermic equipment, cones, bongs, etc;
- compact discs (CDs) or digital versatile disks (DVDs);
- recording devices of any format (including MP3 players);
- offensive material; and
- any other item deemed inappropriate by the Superintendent.

Offensive material

Offensive material includes any document or correspondence that:

- is sexually explicit or sexually demeaning (depicting female breasts, male or female genitalia, or the anus or pubic area in a sexual manner including where these may be seen through a sheer covering, such as lace, mesh, or body paint) (including letters and emails);
- promotes crime, cruelty, or violence towards people or animals;
- criticises religious or political beliefs or convictions;
- is intended to or may incite racial tension or racial prejudice;
- is directly or indirectly offensive to a person's physical appearance, marital status, pregnancy, family circumstances, medical condition, religious beliefs; or physical, sensory or intellectual disability; and/or
- is intended to or likely to be perceived as harassing or demeaning to persons of a particular gender or sexual preference.

Possession and confiscation of prohibited things

Any detainee found to be in possession of a prohibited article will have that article confiscated, a receipt issued and the possession investigated. The item may be disposed of following investigation.

Any visitor attempting to introduce contraband into the AMC, PDC or CTU will have the matter reported to ACT Policing and their visitor status will be reviewed by the Superintendent. The visitor may also be directed to leave the correctional centre's grounds immediately.

Forms/Templates

Officers Report

Seized Article Receipt Form

Related Policies and Procedures

Contraband Seizure Procedure

Incident Reporting Policy

Incident Reporting Procedure

Prisoner Property Procedure

Searching Policy

Searching Procedure

Visits Policy