

Australian Capital Territory

Corrections Management (Detainee Bedding, Clothing and Footwear) Policy 2016

Notifiable instrument NI2016-449

made under the

Corrections Management Act 2007, s 14 (Corrections policies and operating procedures)

1 Name of instrument

This instrument is the *Corrections Management (Detainee Bedding, Clothing and Footwear) Policy 2016*.

2 Commencement

This instrument commences on the day after its notification day.

3 Policy

I make the Detainee Telephone Policy, attached to this instrument, to facilitate the effective and efficient management of correctional services.

4. Revocation

This instrument revokes the *Corrections Management (Detainee Bedding, Clothing and Footwear) Policy 2011* [NI2011-669].

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ACT Corrective Services
12 August 2016

DETAINEE BEDDING, CLOTHING AND FOOTWEAR POLICY ALL FACILITIES

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Purpose

To outline the issue and cleaning of bedding, clothing and footwear to detainees in ACT correctional centres.

The impact of this Policy on a detainee's human rights has been considered consistent with the *Human Rights Act 2004*. A detainee's human rights are limited only to the extent that it is reasonably and demonstrably justifiable.

Authority

Corrections Management Act 2007, section 12, 14, 41, 43 and Chapter 10.

Objective

Standards of bedding, clothing and footwear are established to ensure the good order and security of the correctional centre and health, safety and wellbeing of detainees.

ACT Corrective Services (ACTCS) has an obligation to ensure:

- clean and hygienic bedding for sleeping is provided to detainees, which offers reasonable privacy and comfort; and
- sufficient, clean and hygienic clothing is issued to detainees, which is not likely to degrade or humiliate a person.

If any item of bedding, clothing and footwear is seized from a detainee, ACTCS staff must ensure the detainee is left with, or given, appropriate clothing to wear, or bedding to sleep in.

Information dissemination

The General Manager, Custodial Operations (General Manager) (or delegate) will ensure that detainees are informed of the nature and conditions of the issue and cleaning of bedding, clothing and footwear upon admission to an ACT correctional centre, and in the Detainee Handbook.

A copy of this Policy will be available on the ACT Legislation Register, available for inspection at a correctional centre on request, and may be viewed by ACTCS staff on the ACTCS Intranet.

1. Operating Procedure

1.1 General

Detainees will be issued with bedding, clothing, underwear and footwear upon admission to an ACT correctional centre. All issued items remain the property of ACTCS and are to be returned in a serviceable condition upon a detainee's discharge.

Detainees are responsible for any bedding, clothing, underwear and footwear issued, and for ensuring they dress and sleep with an appropriate level of issued clothing and bedding, with realistic expectations to the Australian Capital Territory's climate year-round.

Detainees must not wear non-ACTCS issued outer clothing within a correctional centre. The only exception to this is approved runners and leggings (females only).

Detainees are not to wear visible underwear or thermals outside of their accommodation unit. These items must be worn underneath ACTCS issued clothing, or leggings (females only).

The General Manager (or delegate) has an obligation to ensure that detainees are provided with the means and opportunity to clean (or have cleaned) and maintain their bedding, clothing and footwear supplies. Area Supervisors are responsible for ensuring that detainee living areas remain clean and hygienic, however, detainees are primarily responsible for ensuring that these items are kept clean at all times.

The General Manager (or delegate) must also ensure that detainees who for reasons of ill-health, injury, mental health issues or who are otherwise incapacitated, are assisted to ensure that the appropriate standards of bedding and clothing cleanliness are maintained.

The cost of replacing any intentionally or recklessly damaged or misused items may be recovered from the detainee by ACTCS in accordance with the *Detainee Disciplinary Policy* and *Detainee Disciplinary Procedure* (reparation). ACTCS issued clothing will be considered intentionally damaged if it is modified or altered.

1.2 Items issued upon admission

Bedding, tableware and hygiene products

Each detainee will be issued with the following items:

- 2 sheets;
- 2 towels;
- 2 blankets;
- 1 pillow;
- 1 pillowcase;
- 1 doona;
- 1 toothbrush;
- 1 tube of toothpaste;
- 1 container of shaving cream;
- 1 bar of soap;
- 1 pen;
- 1 mug, plate and bowl; and
- plastic cutlery (in their accommodation area).

Each cell will contain 1 flame retardant mattress per detainee.

Clothing and footwear

Each detainee will be issued with the following items:

- 2 jumpers;
- 3 polo shirts/t-shirts;
- 2 shorts;
- 2 track pants;
- 2 trousers;
- 1 hat (on request);
- 4 sets of underwear;
- 4 pairs of socks;
- 1 pair of runners;
- 1 jacket (through winter); and

- 1 pair of thongs.

Female and male detainees will be issued different coloured clothing for ease of identification.

1.3 Detainees at risk of suicide or self harm

Detainees identified at risk of suicide or self harm may have their standard issue of bedding, clothing and tableware removed and stored with their property in the admissions area. This will be determined by the detainee's accommodation location (for example, the Crisis Support Unit - CSU), and stated in their Interim Risk Management Plan or Modified Risk Management Plan.

If these items are removed due to the detainee's risk rating, detainees may be issued with a smock and/or tear proof bedding and clothing, and provided with appropriate tableware in accordance with the *Detainee at Risk Policy and Operating Procedure* and *Management of Detainees in the Crisis Support Unit Policy*.

Upon a detainee's re-location to a different accommodation area, or change to their Interim Risk Management Plan or Modified Risk Management Plan, the detainee may either be re-issued with bedding, clothing and tableware, or retain the same bedding, clothing or tableware dependent on their level of risk.

1.4 Detainees accommodated at the Transitional Release Centre

Detainees accommodated at the Transitional Release Centre (TRC) must wear ACTCS issued clothing at all times within the grounds of the correctional centre.

Exemptions may be made for detainees to wear their own clothing during work and while on leave from the correctional centre by the TRC Manager or above.

1.5 Additional bedding

A detainee may request additional bedding be issued by submitting a Detainee Request Form to the Area Supervisor in their accommodation area.

The Area Manager or above may authorise the issue of a reasonable level of additional bedding to a detainee, if considered appropriate.

1.6 Additional clothing or footwear

ACTCS issued

The Area Supervisor or above may authorise the issue of alternative or additional clothing or footwear to a detainee, if considered appropriate.

Detainees wishing to exchange ACTCS issued clothing due to wear and tear may submit a Detainee Request Form to the Area Supervisor in their accommodation area.

Detainee Purchase

Detainees may purchase additional approved bedding, clothing, underwear or footwear, in accordance with the *Prisoner Buy-Ups Policy*. This may include runners, and for female detainees tights or leggings. Any purchased tights or leggings (female

detainees only) must be dark grey or black, not have small or hidden pockets, or overtly display brand names.

Bedding, clothing, underwear or footwear purchased by detainees through the buy-up process will be issued directly to the detainee upon the delivery arriving at the ACT correctional centre.

Items worn on admission

Detainees may only request issue of the following items from their property locker:

- underwear (with any underwires removed from bras);
- socks; and
- runners.

Detainees are able to request the issue of these items (that they came into custody wearing) from their detainee property locker in accordance with the *Prisoner Property Policy* and *Prisoner Property Procedure*.

Detainees are responsible for any clothing or footwear issued to them from their property locker.

Runners will only be issued after they have been searched for contraband (x-ray), including where considered appropriate or necessary by the K9 unit. The runners will need to be in a useable condition (not torn or damaged) prior to issue to the detainee.

Visitor drop-off

Family members and friends of detainees are able to drop-off the following items to detainees:

- underwear (with any underwires removed from bras);
- thermals;
- socks;
- clothing and footwear for court appearances; or
- leggings or tights (females only).

Any item/s dropped-off must be in a new condition.

Visitors must present these items to the correctional centre Reception to be searched and allocated to the detainee. Upon dropping-off the above items for a detainee the visitor will be issued with a receipt.

Court clothing and footwear will be registered and recorded by a Corrections Officer on the detainee's CIS locker assignments.

The items will then be allocated to the detainee's property locker in accordance with the *Prisoner Property Policy* and *Prisoner Property Procedure*. The detainee must request the issue of items from their property locker from the Unit Corrections

Officer. The Unit Corrections Officer will process the request utilising CIS applications.

Any clothing or footwear brought into a correctional centre not in accordance with this Policy, is considered contraband and will be seized and may impact on the person's visitor status. If the detainee receives the item, it may also result in discipline action initiated against the detainee in accordance with the *Detainee Disciplinary Policy* and *Detainee Disciplinary Procedure*.

1.7 Clothing and footwear for external escort

Detainees will be able to access their own clothing and footwear (dress shoes) from their property locker to wear on an external escort to attend court, a funeral, or as otherwise determined by the Area Manager or above on their "Security Risk Assessment – Transfer to Health Facility/Leave Direction/Leave Permit". This clothing and footwear will be issued to the detainee on the day of the escort.

When first received by Admissions, clothing and dress shoes must be searched and, where directed, searched by the K9 unit for contraband. There is no requirement for them to be searched each time they are issued for an external escort.

A detainee may apply to the Chaplain to receive clothing or footwear for an external escort through a charitable organisation by submitting a blue Detainee Request Form.

1.8 Specialist clothing

Detainees working within the correctional centre may be issued with specialist clothing, or personal protection equipment (PPE), depending on their work location.

These clothes/items or PPE are only to be worn/utilised by detainees while at work or while moving to and from work. Depending on the clothing/equipment and work location, detainees may be required to leave the items at the work location.

1.9 Laundering

Detainees are responsible for ensuring their bedding and clothing is laundered weekly in accordance with the schedule in their accommodation area.

In order to facilitate this, detainees are to place their washing in a bag with the cell number written on the outside, and place it in the laundry area. The laundry worker will then wash the laundry.

Contaminated items such as those soiled with blood, are to be forwarded to the laundry in a contaminated goods bag for appropriate cleaning or disposal.

Any items that may be considered infectious, are to be clearly marked in a contaminated goods bag, and the Laundry Manager informed.

In response to a scabies outbreak, laundry must be held in a sealed plastic bag for at least 48 hours in the detainee's cell, before sending to the laundry.

Items of clothing worn by detainees upon admission to an ACT correctional centre will be laundered and placed in the detainee's allocated property locker.

Clothing for external escorts

Detainees may submit a Detainee Request Form to the Area Supervisor in their Accommodation area for their clothing to be laundered in the Admissions area in advance of an external escort.

1.10 Limit of items in cells

To reduce fire danger and to maintain hygiene and occupational health and safety standards, detainees are limited to the amount of bedding, clothing and footwear they may retain in their cells.

The Area Supervisor or above has the discretion to remove accumulated items of bedding, clothing or footwear in a detainees' cell that is in unreasonable excess to the amount issued to the detainee upon admission to the correctional centre.

The Area Manager will ensure that a regular search is conducted in each detainee's cell with excess, contaminated and/or unhygienic ACTCS issued bedding and clothing removed and provided to the laundry as soon as practicable for cleaning.

A detainee must be provided with a seized article receipt as soon as practicable for any non-ACTCS issued items removed. Non-ACTCS issued seized clothing or footwear will be stored in accordance with the *Prisoner Property Policy* and *Prisoner Property Procedure*.

1.11 Clothing and footwear on discharge

If a detainee does not have suitable clothing or footwear to wear upon their discharge from an ACT correctional centre, they may apply to the Chaplain to receive clothing or footwear through a charitable organisation by submitting a blue Detainee Request Form.

2. Forms and Templates

Detainee Request Form
Security Risk Assessment and Removal Authority
Seized Article Receipt

3. Related Policies and Operating Procedures

Detainee at Risk Policy and Operating Procedure
Detainee Disciplinary Policy
Detainee Disciplinary Procedure
Management of Detainees in the Crisis Support Unit Policy
Prisoner Buy-Ups Policy
Prisoner Property Policy
Prisoner Property Procedure

4. Relevant Documents

Nil.

5. Relevant Memorandums of Understanding

Nil.

6. Legislation Requirements

Corrections Management Act 2007

Human Rights Act 2004

7. Document Properties

Document Properties	Approval Details
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