

Australian Capital Territory

Corrections Management (Remand Detainees) Policy 2019

Notifiable instrument NI2019-377

made under the

Corrections Management Act 2007, s14 (Corrections policies and operating procedures)

1 Name of instrument

This instrument is the *Corrections Management (Remand Detainees) Policy 2019*.

2 Commencement

This instrument commences on the day after its notification day.

3 Policy

I make this policy to facilitate the effective and efficient management of correctional services.



Jon Peach
Executive Director
ACT Corrective Services
13 June 2019

REMAND DETAINEES

POLICY NO. D15

ACT CORRECTIVE SERVICES



ACT
Government

Justice and Community Safety

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1 PURPOSE

ACT Corrective Services (ACTCS) is committed to ensuring that detainees on remand are subject to fewer restrictions than sentenced detainees as far as practicable, and in recognition of the presumption of innocence of any offence for which the detainee is remanded.

This policy provides instructions for the management of detainees on remand in accordance with the Corrections Management Act 2007 (ACT).

2 SCOPE

This policy applies to all correctional centres in the ACT.

Where required, the General Manager Custodial Operations will establish operational procedures under this policy.

3 PRINCIPLES

- 3.1 ACTCS recognises that detainees on remand must be presumed innocent of any offence for which they have been remanded, and that detention is not imposed as a punishment for remanded detainees.
- 3.2 The General Manager Custodial Operations will:
 - a. establish arrangements for remanded detainees to maintain their ties to the community and attend to their legal matters; and
 - b. ensure that remanded detainees managed under the Management of At-Risk Detainees Policy, or Management of Segregation and Separate Confinement Policy, can access entitlements under this policy as far as practicable in accordance with section 4.1.

4 MANAGEMENT OF DETAINEES ON REMAND

- 4.1 The General Manager Custodial Operations will ensure that remanded detainees are managed differently to sentenced detainees, as far as practicable, and under conditions that protect the safety of any person, and security and good order at a correctional centre.
- 4.2 The GMCO will facilitate access to legal representatives for remand detainees taking into consideration section 4.1.

- 4.3 In accordance with section 4.1, the General Manager Custodial Operations will:
- a. ensure all staff receive are aware of the specific legal status and differential requirements for detainees on remand;
 - b. ensure that remanded detainees are encouraged, but not required, to engage in work;
 - c. ensure that remanded detainees are informed of the programs, activities and supports available to them in a correctional centre and encouraged to participate;
 - d. ensure that all eligible remanded detainees are enrolled to vote and participate in Territory and Federal elections according to the Commonwealth Electoral Act 1918 (Cth); and
 - e. allow detainees on remand to access additional time out of cell where operational parameters allow and in accordance with the Regime Planning Policy.
- 4.4 All remanded detainees will receive a sentence management plan.

5 ACCESS TO COMMUNITY MEMBERS

- 5.1 The General Manager Custodial Operations will allow remanded detainees to receive a personal visit after 24 hours in a correctional centre in line with the visiting schedule and Visits Policy.
- 5.2 Detainees on remand will be permitted to access increased visits in the form of longer visiting bookings, additional visiting days, or an increased number of eligible visitors only in accordance with the Incentives and Earned Privileges Policy.
- 5.3 In establishing arrangements under section 5.1, the General Manager Custodial Operations will prioritise visits between female remanded detainees and their children/charges.

6 ACCOMMODATION

- 6.1 The General Manager Custodial Operations will consider all reasonable options to accommodate remand and sentenced detainees separately in accordance with section 44(2) of the Corrections Management Act 2007 (ACT).
- 6.2 The Head of Accommodation will ensure that remanded detainees are placed in the most suitable and least restrictive accommodation necessary to ensure the

safety of the detainee or any other person, in accordance with section 44(4) of the Corrections Management Act 2007 (ACT).

7 RELATED DOCUMENTS

- A – Management of At-Risk Detainees Policy
- B – Management of Segregation and Separate Confinement Policy
- C – Visits Policy
- D – Incentives and Earned Privileges Policy



Jon Peach
Executive Director
ACT Corrective Services
13 June 2019

Document details

Criteria	Details
Document title:	Corrections Management (Remand Detainees) Policy 2019
Document owner/approver:	Executive Director, ACT Corrective Services
Date effective:	The day after the notification date
Review date:	Three years after the notification date
Compliance with law:	This policy reflects the requirements of the <i>Corrections Management (Policy Framework) Policy 2019</i>
Responsible officer:	General Manager Custodial Operations

Version Control			
Version no.	Date	Description	Author
V1	February-19	First Issued	L Kazak