

Australian Capital Territory

Corrections Management (Detainee Delegates) Policy 2019

Notifiable instrument NI2019-396

made under the

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

1 Name of instrument

This instrument is the *Corrections Management (Detainee Delegates) 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
20 June 2019

DETAINEE DELEGATES

POLICY NO. D17

ACT CORRECTIVE SERVICES



ACT
Government

Justice and Community Safety

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1 PURPOSE

ACT Corrective Services (ACTCS) is committed to supporting detainees to have their issues, concerns and suggestions represented to senior custodial management by detainee delegates.

This policy provides instructions for the management of a detainee delegates scheme and delegate meetings in a correctional centre.

2 SCOPE

This policy applies to all correctional centres in the ACT.

The General Manager Custodial Operations will establish operational procedures under this policy.

3 DEFINITIONS

Delegate

A detainee appointed to represent the detainees housed in an accommodation unit in a correctional centre under the conditions of this policy.

4 PRINCIPLES

- 4.1 The General Manager Custodial Operations (GMCO) will establish a detainee delegate scheme to promote positive dialogue between detainees and senior custodial management regarding services, accommodation, programs, issues and concerns within a correctional centre.
- 4.2 The GMCO will maintain a schedule of delegate meetings for the calendar year. Meetings between senior custodial management and detainee delegates will occur each month as far as practicable.
- 4.3 The GMCO will maintain appropriate records of delegate meetings, including submissions, agendas, and minutes of all meetings in accordance with the *Territory Records Act 2002 (ACT)*.
- 4.4 In order to ensure equality of opportunity and prevent any perception of undue entitlement or privilege within the accommodation unit, detainee delegates are appointed for up to 12 months only and cannot hold consecutive appointments

as delegate, including in circumstances where the detainee has moved to a different unit in a correctional centre.

5 DELEGATE APPOINTMENT AND RESPONSIBILITIES

- 5.1 Each accommodation unit in a correctional centre will have a detainee delegate.
- 5.2 Where a detainee delegate is relocated to another accommodation unit, they will cease to be a detainee delegate.
- 5.3 The GMCO will establish arrangements for the nomination and selection of detainee delegates, including the representation of Aboriginal and Torres Strait Islander detainees.
- 5.4 The GMCO will refuse to appoint any nominated detainee delegate where:
 - a. there is reasonable justification of a risk:
 - i. to the safety of any person;
 - ii. to security and good order at a correctional centre; or
 - iii. of negative influencing or stand-over behaviours.
- 5.5 Security and Intelligence checks will be conducted on all nominated detainee delegates prior to appointment in accordance with the criteria of section 5.4(a).
- 5.6 Each detainee delegate has a responsibility to maintain positive behaviour and relations with ACTCS staff at all times during their appointment.
- 5.7 A detainee delegate is not to:
 - a. advocate on behalf of individual detainees or arbitrate between a detainee and staff, or any other person, or agency; or
 - b. use the position to advance their self-interest.
- 5.8 The responsibilities of a detainee delegate are to:
 - a. represent the consensus of views, issues and concerns of the detainees in their accommodation unit at delegate meetings;
 - b. suggest changes or proposals for consideration by senior custodial management;
 - c. be consulted and provide feedback on proposals and changes within a correctional centre through delegate meetings; and
 - d. communicate to detainees in their accommodation unit matters raised in delegate meetings.
- 5.9 The GMCO can suspend or revoke the appointment of a detainee delegate at any time under the conditions of section 5, or where:

- a. the detainee has committed a major breach of discipline under the *Discipline Policy*;
- b. it is reasonable believed that the detainee may pose a threat to the safety of any person, or to security and good order at a correctional centre; or
- c. the detainee is using the position to unduly influence any other detainee, or to further their own self-interest.

6 DELEGATE MEETINGS

- 6.1 The GMCO or delegate will chair delegate meetings with detainee delegates in a correctional centre.
- 6.2 Separate meetings must be held for male and female delegates.
- 6.3 Custodial Heads of Function will attend delegate meetings where appropriate or as directed by the GMCO.
- 6.4 The purpose of delegate meetings is to:
 - a. identify and bring to the attention of senior custodial management any issues affecting living areas, employment, education, program and services, visits, recreation, and communication with family and the community;
 - b. share feedback and relevant information on matters raised at delegate meetings; and
 - c. ensure the concerns of detainees are actioned by senior custodial management.
- 6.5 The GMCO will ensure that agenda items are dealt with in a reasonable timeframe.
- 6.6 Delegate meetings are the appropriate forum for detainee delegates to raise issues and proposals. Detainee delegates must refrain from raising related matters outside of this forum or on an ongoing basis between meetings.

7 RELATED DOCUMENTS

- A – Discipline Policy



Jon Peach
Executive Director
ACT Corrective Services
20 June 2019

Document details

Criteria	Details
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Document owner/approver:	Executive Director, ACT Corrective Services
Date effective:	The day after the notification date
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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			
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