

Australian Capital Territory

# Corrections Management (Separate Confinement) Operating Procedure 2022

Notifiable instrument NI2022-281

made under the

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

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**1 Name of instrument**

This instrument is the *Corrections Management (Separate Confinement) Operating Procedure 2022*.

**2 Commencement**

This instrument commences on the day after its notification day.

**3 Operating Procedure**

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

**4 Revocation**

This operating procedure revokes the *Corrections Management (Separate Confinement) Operating Procedure 2019* [NI2019-384].

Ray Johnson APM  
Commissioner  
ACT Corrective Services  
17 May 2022



<b>OPERATING PROCEDURE</b>	<b>Separate Confinement</b>
<b>OPERATING PROCEDURE NO.</b>	<b>D3.2</b>
<b>SCOPE</b>	<b>Alexander Maconochie Centre</b>

## STATEMENT OF PURPOSE

To provide instructions to staff managing detainees placed on separate confinement.

## DEFINITION

### Separate confinement

Confinement of a detainee in a cell, away from other detainees, as an administrative penalty for a disciplinary breach according to the Detainee Discipline Policy and chapter 10 of the Corrections Management Act 2007 (ACT).

## 1. AUTHORITY

- 1.1 A detainee can only receive separate confinement as an administrative penalty under the Detainee Discipline Policy for a proven disciplinary breach.
- 1.2 The Presiding Officer must provide a D3.F2: Separate Confinement Authority in accordance with the Detainee Discipline Policy to the CO2 responsible for the area prior to placement of the detainee.
- 1.3 The officer in receipt of a D3.F2: Separate Confinement Authority must arrange for the detainee to be moved according to section 2.

## 2. LOCATIONS

- 2.1 Male detainees on separate confinement will in the first instance be placed in the Management Unit
- 2.2 Female detainees placed on separate confinement will in the first instance be directed to SCC-West.
- 2.3 Where the Commissioner has authorised alternative locations for the separate confinement placement, the Presiding Officer will determine the appropriate location for the detainee by checking the:
  - a. Annex 1 – AMC Segregation and Separate Confinement Areas; or
  - b. D3.F4: Segregation/Separate Confinement Location – Authority.
- 2.4 The Presiding Officer will ensure that the detainee's electronic record system is updated with the separate confinement location.

### Alternative location requirements

- 2.5 Where a detainee cannot be accommodated in the Management Unit or any other approved location in the Annex 1 – AMC Segregation and Separate Confinement Areas due to

operational, or safety or security reasons, the Senior Director Operations, or Duty Manager in their absence, must immediately inform the General Manager.

- 2.6 The General Manager will submit a *D3.F4: Segregation/Separate Confinement Location – Authority* to the Commissioner for a decision.

### **3. NOTIFICATIONS AND SCREENING**

- 3.1 The Presiding Officer will ensure that Justice Health is notified that the detainee has been placed on separate confinement and request that they are assessed within two hours or as soon as practicable.
- 3.2 Justice Health Service will complete the *D3.F3: Initial Health Screening Form*.
- 3.3 If a doctor or registered nurse is not available to complete the screen within two (2) hours, the detainee must be placed on 30 minute observations, or according to any current observational routine of less than 30 minutes until the assessment is completed.

#### **Initial health assessment**

- 3.4 On arrival, the Justice Health professional must be provided with a printed copy of the *D3.F3: Initial Health Screening Form* to complete.
- 3.5 Once completed by Justice Health, the officer in receipt of the *D3.F3: Initial Health Screening Form* must:
- a. immediately provide a copy to the Senior Director Operations, or Duty Manager in their absence;
  - b. scan and upload a copy of the form to the detainee’s electronic records system; and
  - c. place the *D3.F3: Initial Health Screening Form* in the detainee’s custody file.
- 3.6 Where the *D3.F3: Initial Health Screening Form* finds there are clinical reasons why the detainee should not be on separate confinement, the Senior Director Operations, Duty Manager or Officer-in-Charge must arrange an immediate Healthcare Review Meeting to consider the administrative penalty.
- 3.7 The Senior Director Operations/Duty Manager/Officer-in-Charge must complete a *D3.F5: Healthcare Review Meeting – Segregation/Separate Confinement Form* to indicate the outcomes from the meeting.
- 3.8 The decision maker will ensure to:
- a. scan and upload a copy of the form to the detainee’s electronic records system;
  - b. undertake any actions required by the *D3.F5: Healthcare Review Meeting – Segregation/Separate Confinement Form*; and
  - c. place the *D3.F5: Healthcare Review Meeting – Segregation/Separate Confinement Form* in the detainee’s custody file.

#### **Separate confinement confirmation**

- 3.9 Once confirmed and within two (2) hours of separate confinement being authorised for the detainee, the Security Unit CO2 must provide the detainee with a copy of the:
- a. *D3.F2: Separate Confinement Authority*; and
  - b. rules and regime of the Management Unit.
- 3.10 The Security Unit CO1 must notify the following that the detainee has been placed on separate confinement via email:
- detainee’s Sentence Management Officer

- for Aboriginal and Torres Strait Islander detainees, the detainee's Indigenous Liaison Officer
- the Welfare Officer (for remand detainees).

#### **4. REGIME**

- 4.1 The regime of the Management Unit will operate in accordance with the Management Unit Regime and the entitlements and privileges on each detainee's D3.F2: Separate Confinement Authority.
- 4.2 Detainees on separate confinement regimes must always have their front cell door secured.
- 4.3 Cameras and windows are to remain uncovered.
- 4.4 No items are to be passed between detainees.

#### **Cell contents**

- 4.5 Only ACT Corrective Services issued clothing and bedding is permitted.
- 4.6 Only one (1) pair of shoes and thongs are permitted for each detainee.
- 4.7 Access to a radio and kettle, if available, for separate confinement detainees will be specified on their D3.F2: Separate Confinement Authority.

#### **Movements**

- 4.8 Detainees will be searched on entry, if required, in accordance with the Searching Policy and Searching Program, prior to being secured in their Management Unit cell. Correctional officers will remove all lighters from detainees who are segregated in the Management Unit. The lighters will not be returned until the detainee is released from the Management Unit.
- 4.9 All cells in the Management Unit, SCC-W and any other cell designated as a place for separate confinement will be searched at minimum once each week. This will be recorded in the appropriate log book and recorded in the detainee's electronic system.
- 4.10 Only one (1) detainee on separate confinement will be allowed in the common area at any one time.
- 4.11 All detainees under separate confinement must have two (2) correctional officers present when the cell door is unlocked, unless the Senior Director Operations has otherwise directed.
- 4.12 All separate confinement detainees are to be handcuffed before removal from their cell.

#### **Minimum entitlements and visitors to the Management Unit**

- 4.13 A D3.F8 Management Unit Daily Log is to be completed by the dedicated Management Unit Officer for each detainee each day.
- 4.14 Where a detainee refuses an entitlement, this must be recorded on the Log.
- 4.15 Where a detainee is denied an entitlement by staff, this must be recorded on the Log, including the reason for the denial in the detainee's electronic record system.
- 4.16 The Security CO3 must ensure that a D3.F8: Management Unit Daily Log is completed daily for each detainee recording the detainee's access to their minimum entitlements and any visitors to the detainee. Once completed the Security CO3 must sign the form and upload the signed Log to the detainee's electronic record system.

## 5. EXITING

- 5.1 The Security Unit CO2 must ensure that detainees are returned to their general accommodation cell as soon as practicable on the expiry of their separate confinement (*D3.F2: Separate Confinement Authority*).

### RELATED DOCUMENTS AND FORMS

- Management of Segregation and Separate Confinement Policy
- Management of Transgender Detainees and Detainees Born with Variations in Sex Characteristics Policy
- Discipline Policy
- Searching Program
- D3.F4: Segregation/Separate Confinement Location – Authority Form
- D3.F2: Separate Confinement Authority
- D3.F3: Initial Health Screening Form
- D3.F5: Healthcare Review Meeting – Segregation/Separate Confinement
- Detainee Request Form
- D3.F8: Management Unit Daily Log
- Detainee Observation Form

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### Document details

Criteria	Details
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Document owner/approver:	General Manager, Alexander Maconochie Centre
Date effective:	The day after the notification date
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Responsible Officer:	Senior Director Operations
Compliance:	This operating procedure reflects the requirements of the <i>Corrections Management (Policy Framework) Policy 2020</i>

<b>Version Control</b>			
<b>Version no.</b>	<b>Date</b>	<b>Description</b>	<b>Author</b>
V2	May-22	Minor revisions	S Viereck
V1	May-19	First Issued	P Cubitt