Australian Capital Territory

Corrections Management (Security Classification Review) Operating Procedure 2022

Notifiable instrument NI2022–333

made under the

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

1   Name of instrument

This instrument is the *Corrections Management (Security Classification Review) 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.

Ray Johnson APM
Commissioner
ACT Corrective Services
21 June 2022

OPERATING PROCEDURE	Security Classification Review
OPERATING PROCEDURE NO.	D18.2
SCOPE	Alexander Maconochie Centre (AMC)

PURPOSE

To provide instructions to staff that administer the *Detainee Security Classification Review* for detainees in the custody of ACT Corrective Services.

Classification is the categorisation of detainees according to the minimum security conditions appropriate to manage any risks of escape, security and good order in a correctional centre and public safety risks.

PROCEDURES

1.   Detainee Security Classification Review

1.1   The Classification Coordinator must administer the *Detainee Security Classification Review* for all detainees at the respective scheduled intervals (refer to s.2).

1.2   The *Detainee Security Classification Review* must be conducted utilising the *D18.F3: Security Classification Review Tool*, supported with *Annex A: Security Classification Review Checklist* (available at the back of this document).

1.3   The Classification Coordinator conducting the Review must collate all relevant information required for the completion of the *Detainee Security Classification Review.* Once completed, they must submit this along with the *Initial Detainee Security Classification to the* Classification Review Committee (CRC) for review.

1.4   The (CRC) must evaluate the *Detainee Security Classification Review* (and associated information) to consider whether the detainee's security classification will be reduced or increased. The CRC must then make a recommendation to the Director Sentence Administration Section for final approval.

2.   Scheduled Classification Review Timeframes

2.1   Detainees with four years or less remaining on their head sentence must have their classification reviewed every 6 months.

2.2   Detainees with greater than four years remaining on their head sentence must have their classification reviewed every 12 months.

2.3   Remandees must have their classification reviewed every 6 months.

2.4   A detainee must have their classification reviewed after re-capture in the event of an escape, or after an attempted escape from custody.

3.   Notifying the detainee of the upcoming Classification Review

3.1   The Classification coordinator must provide the detainee with the *D18.F4: Detainee Input for Classification Review* at least 4 weeks before their classification is reviewed.

3.2   If the detainee completes the *D18.F4: Detainee Input for Classification Review,* then the classification coordinator must submit this document to the CRC along with other documentation identified in section 1.5 above.

4.   Classification Review Committee (CRC)

4.1   The CRC includes the following members:

   a.   Team Leader Case Management Unit (or delegate)

   b.   Team Leader Programs (or delegate)

   c.   The relevant Accommodation Area Manager

   d.   Senior Director Detainee Services (or delegate)

   e.   Team Leader Intelligence Unit (or delegate)

4.2   The CRC must evaluate the *Detainee Security Classification Review* and any other relevant information to consider whether the detainee's security classification should be raised or lowered.

4.3   The CRC must meet as a collective (either online or face-to-face), as required. The Classification Coordinator or Administrative Officer (Offender Reintegration) must schedule these meetings and record the minutes.

4.4   When reviewing a detainee's Security Classification, the CRC, in line with the *Corrections Management Act 2007* (ACT) must consider the following:

   a.   the nature of the current offence for which the detainee is in custody.
   b.   the risks posed by the detainee if the detainee were to escape.
   c.   the risk of the detainee escaping.
   d.   the risks posed by the detainee while in custody
   e.   the risks to the detainee of being accommodated with other detainees
   f.   any other relevant consideration.

4.5   The reduction of a detainee's Security Classification is contingent upon the following factors:

   a.   the detainee's progress towards meeting the requirements of their case management plan
   b.   the detainee's behaviour and conduct
   c.   the detainee's engagement with other services available
   d.   the detainee's engagement in cultural activities and/or connection to culture, specifically for those who identify as Aboriginal and Torres Strait Islander
   e.   any other incident / aspect of a detainee's sentence that is deemed to be a decreasing risk factor as determined by the CRC.

4.6   Situations where it may be appropriate to raise a detainee's Security Classification may include, but are not limited to:

   a.   following a detainee's escape or attempted escape from custody
   b.   following a detainee's involvement in a serious incident
   c.   receiving a positive urinalysis result or involvement in a drug related incident
   d.   receiving advice of pending deportation or extradition
   e.   receiving advice of further or pending criminal court matters
   f.   any other incident / aspect of a detainee's sentence that is deemed to be an increasing risk factor as determined by the CRC.

4.7 Upon consideration of the *Initial Detainee Security Classification Assessment* and the information contained in the *Detainee Security Classification Review*, the CRC must make a collective recommendation, with a supporting rationale, to the Director Sentence Administration.

5. Approval and Record Keeping

5.1 The Classification Coordinator must submit the *Detainee Security Classification Review* along with a list of records, documents and reports used to conduct the assessment to the Director, Sentence Administration for verification and approval.

5.2 The Classification Coordinator must ensure all documentation relevant to the Security Classification Review process, is uploaded onto the detainee's electronic file.

6. Notification of the Detainee Security Classification Review Outcome

6.1 The Classification Coordinator must provide the detainee with the *D18.F2: Classification Notice* within two (2) business days of approval. The notice must indicate the major factors contributing to the revised Security Classification and the next scheduled review date.

6.2 The Classification Coordinator must:

    a. notify the Director Sentence Administration, Senior Director Offender Reintegration, Senior Director Accommodation and Director Offender Reintegration of any classification assessment results by email within two (2) business days of completion

    b. update the detainee's electronic record to reflect the Security Classification result, including a case note and uploading of the *Detainee Security Classification Review*

    c. maintain a register of all detainees' Security Classification Review dates

    d. record a list of all documents, records and reports used to conduct the review

7. Unscheduled Classification Reviews

7.1 Requests for an unscheduled classification review (either received by email or on a detainee request form) must be provided to the Director Sentence Administration Services.

7.2 The Director Sentence Administration Services may refuse the request if there is insufficient evidence of significant change in the detainee's risk level. If the request is refused, then the Director Sentence Administration Services must notify the detainee in writing within 5 days of the decision.

7.3 If the Director Sentence Administration Services accepts the request for an unscheduled classification review, then they must direct the Classification Coordinator to undertake the classification review process. *Note: Scheduled and Unscheduled classification reviews involve the same process (i.e. Sections 1-6 above).*

8. Appeal of Security Classification Review Decision

8.1 A detainee may appeal a *Security Classification Review* outcome in writing within five (5) days of receiving the *D18.F2: Classification Notice*, either by submitting a detainee request form or via email to DetaineeClassification@act.gov.au. The appeal request must include the reason for the appeal and any supporting evidence.

8.2 Upon receiving the request for appeal, the Classification Coordinator must forward the detainees appeal request, the *Initial Detainee Security Classification Assessment* (where this

was the most recent classification assessment)*,* and the *Detainee Security Classification Review* to the Senior Director Offender Reintegration for review.

8.3   The Senior Director Offender Reintegration must review the package within five (5) business days of receipt and will consider whether:

    a.   inappropriate or inaccurate information was included in the assessment and/or

    b.   pertinent information has not been applied to the assessment, including the detainee's current sentence and criminal history, any outstanding charges, criminal and custodial history, appeal status, liability for deportation, disciplinary history and other documents held on the detainee's record.

8.4   The Senior Director Offender Reintegration must determine whether to grant or deny the appeal.

8.5   The Senior Director Offender Reintegration must inform the detainee in writing of the outcome of the appeal, outlining the reasons.

8.6   Where an appeal request has been granted, the Director Sentence Administration must review the initial recommendation made by the CRC and any considerations provided by the Senior Director Offender Reintegration. This must be undertaken within five (5) business days of notification.

8.7   Where necessary, the Director Sentence Administration may instruct the CRC members to obtain further advice or guidance for a revised recommendation.

9.   Related Documents

- Detainee Classification Policy 2022
- Annex A – Offence Severity Scale
- D18.F1: Initial Security Classification Tool
- D18.F2: Classification Notice
- D18.F3: Security Classification Review Tool
- D18.F4: Detainee Input for Classification Review
- Initial Security Classification Operating Procedure 2022

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ACT Corrective Services
20 June 2022

Document details

Criteria	Details
Document title:	*Security Classification Review Operating Procedure 2022*
Document owner/approver:	Assistant Commissioner Offender Reintegration, ACT Corrective Services

Criteria	Details
Date effective:	The day after the notification date
Review date:	Three years after the notification date
Compliance with law:	This operating procedure reflects the requirements of the *Corrections Management (Policy Framework) Policy 2021*
Responsible officer:	Director Sentence Administration Section

Version Control			
Version no.	Date	Description	Author
V1	December-21	First Draft	T Graham
V2	May-22	Ongoing Revision	J Papadopoulo

Annex A: Security Classification Review Checklist

CUSTODIAL BEHAVIOUR SUMMARY		
Evaluation	**Source of Information**	**Application**

Warnings and Disciplines	- ACTCS Offender database
	    o Case Notes
	    o Outgoing letters
		Utilising the source of information, determine if the detainee has been involved in any resulting in disciplinary action, including Officer's Warnings, during the current sentence?
		
		If yes, provide a chronological summary for all incidents/behaviours resulting in disciplinary action.

Current Alerts	- ACTCS Offender database
	    o Case Notes
	    o Alerts
	    o Briefcase
	- Intelligence Unit
	- Department of Immigration
		Utilising the source of information, determine if the detainee has any current alerts or information relevant to the classification review.

Interactions with Custodial Staff	- ACTCS Offender database o Case Notes - Custodial Staff	Utilising the source of information, provide a summary of the detainee's interaction with Custodial Staff since admission / initial classification / previous review, positive or otherwise.
Interactions with other detainees	- ACTCS Offender database o Case Notes - Custodial Staff	Utilising the source of information, provide a summary of case notes regarding the detainee's interactions with other detainees and functioning within the unit/accommodation area, since admission / previous review, positive or otherwise.
Current level under the Incentives and *Earned Privileges Policy (IEP)*	- ACTCS Offender database o Case Notes	Utilising the source of information, record the detainee's level under the IEP, noting a reduction or increase where applicable.
Urinalysis Testing	- ACTCS Offender database o Case Notes	Utilising the source of information, provide a summary of the detainee's participation in urinalysis testing (including refusal) including date tested, confirmatory results and any actions taken.

CASE MANAGEMENT SUMMARY		
Risk Assessments	- ACTCS Offender Database	Utilising the source of information, record the outcome of the applicable risk assessment tools.
AMC Case Manager Interactions	- ACTCS Offender Database o Case Notes - AMC Case Manager - Team Leader Case Management Unit	Utilising the source of information, provide a summary of the detainee's interaction with Case Management staff since admission / initial classification / previous review, positive or otherwise. Ensure the Case Manager provides verbal input to this section to ensure information is captured holistically.
Identified Criminogenic Risks and Interventions	- ACTCS Offender Database o Case Management Plan	Utilising the source of information, identify and record the identified criminogenic risk factors and the recommended intervention to address each individual risk. The status needs to reflect the detainees expected or planned commencement and/or completion date.
Employment	- ACTCS Offender Database	Utilising the source of information, identify and record the detainee's current employment, including employment position, noting if trusted employment, and any information regarding performance within position and employment goals.
Education	- ACTCS Offender Database	Utilising the source of information, provide a summary of current educational undertaking/s, educational goals, and information regarding engagement with education:
Other Service Engagement	- ACTCS Offender Database	Utilising the source of information, provide a summary of the detainee's engagement with other services including Chaplaincy, Librarian, Peer Mentoring, Sporting/Recreation Activities.

ABORIGINAL AND TORRES STRAIT ISLANDER DETAINEES		
Please note, an Aboriginal & Torres Strait Islander detainee will not be penalised if they are not engaged in cultural services or supports		
Culture is an important Social and Emotional Wellbeing (SEWB) factor for Aboriginal and Torres Strait Islander people. SEWB includes a strong sense of self and cultural identity, which can provide meaning and resilience in times of adversity. Engagement with cultural activities may contribute to developing strength and resilience, in cultural identity. This is considered a protective factor.		
Engagement with ALO	- ACTCS Offender Database o Case Notes - Aboriginal Services Team / ALO	Utilising the source of information, provide a summary of the detainee's interaction with the ALO. Refer to case notes or speak to the ALO regarding the detainee's interactions.
Engagement with Cultural Activities and/or Support Services	- ACTCS Offender Database o Case Notes - Aboriginal Services Team / ALO	Utilising the source of information, provide a summary of the detainee's engagement with cultural activities, programs, and services. For Example: Elders, Yarning Circle, CALM, cultural art programs, Winnunga, etc.
Connection to Family, Kin, Community and Culture	- ACTCS Offender Database o Case Notes - Aboriginal Services Team / ALO	Utilising the source of information, provide a summary of the detainee's engagement with family / kinship / Community through visits etc, discussion with the ALO.
FOR COMPLETION BY CLASSIFICATION REVIEW COMMITTEE ONLY		
Consideration to information provided above may be used to reduce or increase a detainee's overall score, with the potential to adjust the security classification score up or down. The decreasing and increasing factors below correlate with the information provided above and may impact a detainee's level of risk to self, community, staff, or the security of the AMC. The CRC may choose to include relevant factors noted above to decrease or increase the overall numerical score, to support their recommendation.		
Decreasing Risk Factors	These factors attract a negative numerical score and may deduct one point each from the overall score.	
• Positive interactions with staff	-	
• Engagement with employment	-	
• Completion of offence specific / offence related programs.	-	
• Engagement in cultural activities / connection to culture (specific to Aboriginal & Torres Strait Islander detainees).	-	
• Positive peer interactions.	-	
Increasing Risk Factors	These factors attract a positive numerical score and may add one point each to the overall score.	

• Negative interactions with staff.		
• Warnings / Disciplines.		
• Positive urinalysis results.		
• Other		
• Escape / attempted escape.		
RECORDING THE SCORE		
Initial Detainee Security Classification Assessment Score	- *D18.F1: Initial Security Classification Tool*	Utilising the source of information, insert the overall score provided.
Review Adjustment Score	- *D18.F3: Security Classification Review Tool*	Utilising the source of information, insert the total score using the decreasing and increasing risk factor scores.
Recommended Score	- *D18.F1: Initial Security Classification Tool* - *D18.F3: Security Classification Review Tool*	Add the scores from the *D18.F1: Initial Security Classification Tool* and the *D18.F3: Security Classification Review Tool* to give an Overall Score to support the Recommended Security Classification Outcome. Provide additional information where required.