

Australian Capital Territory

Corrections Management (Incentives and Earned Privileges Basic Regime Unit) Operating Procedure 2022

Notifiable instrument NI2022–649

made under the

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

1 Name of instrument

This instrument is the *Corrections Management (Incentives and Earned Privileges Basic Regime Unit) Operating Procedure 2022**.

2 Commencement

This instrument commences on the day after notification.

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
14 December 2022

*Name amended under Legislation Act, s 60



OPERATING PROCEDURE	Incentives and Earned Privileges Basic Regime Unit
OPERATING PROCEDURE NO.	D14.1
SCOPE	Alexander Maconochie Centre

STATEMENT OF PURPOSE

To provide a guide for Correctional Officers at the AMC on the Basic Regime Unit (BRU), including reviews, core day and general operating processes.

PRINCIPLES

Basic Regime Unit (BRU)

The purpose of the BRU is to provide a supportive environment that encourages and incentivises detainees to adhere to expected behavioural standards, in accordance with the *Incentives and Earned Privileges Policy*. The BRU provides stepped increases in access to privileges and activities. However, the minimum entitlements set out in Chapter 6 of the *Corrections Management Act 2007* always apply to all detainees.

Placement in BRU must never be used as a punitive measure. Detainees may only be placed on the BRU following an IEP level review in accordance with the *Incentives and Earned Privileges Policy*.

The BRU model of incentives and earned privileges encourages appropriate behaviour by detainees that is conducive to:

- a. positive outcomes for their individual case management planning
- b. engagement in work and meaningful activities
- c. compliance with AMC Correctional Centre rules, regulations, and regimes.

The placement of detainees into the BRU whose continued behaviour impacts the security and good order of the Centre, and impacts their placement into general centre accommodation, enables a regime that holds detainees accountable, protects vulnerable detainees, and maximises a regime where staff safety is paramount.

PROCEDURES

1. New Admissions to BRU

- 1.1. The Senior Director Accommodation must ensure detainees are made aware of the nature of the BRU, including the IEP regime of the centre. This is facilitated through the detainee induction.
- 1.2. Each detainee must comply with directions of officers and the behavioural expectations set out in the *Incentives and Earned Privileges Policy*.

- 1.3. Staff on the BRU encourage detainees to display behaviours which are conducive to their progression through the IEP privilege levels, including progression through the BRU regime where necessary.
- 1.4. All AMC correctional officers must case note and record accurate and timely behavioural information regarding detainees. This is to enable an accurate assessment of their suitability for the relevant IEP level. It is the responsibility of the accommodation CO3s and/or CO4s, to determine a detainee's placement into the BRU.
- 1.5. The Accommodation CO3s and CO4s must make decisions based upon referrals from a CO2 following an IEP review. This referral is to be a completed (*D14.F1: IEP Review Form*) in an email to the accommodation CO3s and CO4s who must assess the details of the detainee's behaviour that suggest the need for BRU placement. The accommodation CO3s and CO4s must keep track of all BRU placements by notifying the operations admin support who must track basic regime detainees on the IEP database. The current number of basic regime detainees must be reflected on the morning briefing.

STAGES OF BRU

- 1.6. There are three (3) stages within the BRU regime, and each stage generally has a two (2) week timeframe.
 - a. Stage 1 – Recovery (2) weeks
 - b. Stage 2 – Treatment (2) weeks
 - c. Stage 3 – Transition (2) weeks
- 1.7. Detainees do not need to enter the BRU on the same stage, however all detainees must progress through all (or remaining stages if they entered on stage 2 or 3) prior to progressing out of the unit.
- 1.8. The two (2) week timeframe allows for the collection of evidence (in the form of case notes) to demonstrate sustained behavioural changes. However, there may be circumstances where detainees may be progressed through the stages faster, or slower, depending on their behaviour. Faster or slower progression through the BRU must be approved by a CO3 or CO4.
- 1.9. A generic Management Plan (MP) format exists for each stage (see *Appendices B, C and D*). Individual details must be entered specific to the detainees' particular circumstances and individual incentives and disincentives.

DETAINEES AT RISK

- 1.10. Should a detainee being managed on the BRU regime be assessed as being at risk of suicide/self-harm, they must subsequently be managed in accordance with the *Detainees at Risk of Suicide or Self-harm Policy*. If this occurs, then the MP must be suspended, and only re-initiated upon termination of the At-Risk period and management plan.

2. Detainee Relocation

- 2.1. The IEP scheme does not affect any ordinary day to day detainee placement decisions such as new admissions being placed in the isolation unit, detainees required to relocate for segregation and/or self-harm reasons etc.
- 2.2. Detainees who have been demoted under the IEP review process and are required to relocate to the basic regime unit must be relocated as an ordinary movement. There are no

requirements to initiate segregation or self-harm processes to move the detainee unless warranted by the individual detainee's circumstances.

- 2.3. Should a detainee refuse to relocate following an IEP review, they must be relocated using normal processes for a detainee refusing to comply with directions.
- 2.4. If a Use of Force is required (in accordance with the *Use of Force and Restraint Policy*), the detainee must be relocated to the management unit in the first instance until a placement assessment can be conducted.

3. Basic Regime Unit Reviews:

- 3.1. Detainees who have been placed on the **BRU** must be subject to fortnightly IEP reviews.
- 3.2. The Unit CO2 must follow the same process as a regular IEP review (for more information, see the *Guide – How to Conduct an IEP Review*).
- 3.3. In addition, there are three stages to the BRU (1,2,3). Each stage is a progression within the basic regime where more incentives can be offered.
- 3.4. Detainees on the basic regime must also have individual management plans in place. These must also be reviewed by the Unit CO2 during the fortnightly review process, and the plan must be updated as required.

4. Event Based Review (EBR):

- 4.1. Certain events may trigger an IEP review outside of the regular time-based review process. Such events include:
 - a. poor behaviour that has attracted 2 case noted verbal warnings since the last review
 - b. positive behaviour that has attracted 2 case noted verbal commendations since the last review.

In these instances, the Unit CO2 must follow the normal IEP review process.

5. BRU Regime:

- 5.1. The BRU CO2 must determine the regime to be run on the BRU, according to the numbers of detainees on each basic stage.
- 5.2. It is possible there will be several different cohorts on each stage, all of whom must be managed according to their categorisation (e.g., Mainstream, Protection). Therefore, it is likely that there will be multiple regimes in operation.
- 5.3. Detainees must only be allowed items and activities in line with the *Incentives and Earned Privileges Policy - Annex A* for basic regime detainees.
- 5.4. Detainees on basic stage 1 & 2 must be escorted to and from any activity outside the unit.
- 5.5. All cells must be checked on a daily basis for signs of damage in accordance with the *Searching – Cell Infrastructure Checks Operating Procedure*. If damage is identified, COs must question the detainees about the damage, and case note conversations where relevant.

6. Supports for detainees on the BRU

- 6.1. The BRU is designed to provide detainees with multiple opportunities to demonstrate positive and pro-social behaviours. These include:
- a. ongoing daily interactions with staff on the BRU (positive interactions are also case noted on the detainee's file)
 - b. self-directed workbooks which address poor behaviour (*in development as of November 2022*)
 - c. ongoing opportunities for pro-social interactions with other detainees accommodated within the BRU
 - d. individualised interactions with staff on the BRU, to support detainees to address their behaviour and to prepare for their 2-weekly IEP reviews
 - e. daily interactions with the Programs team, including support to complete the self-directed workbooks
- 6.2. Access to in-progress criminogenic programs is considered on a case-by-case basis. Access to programs may be paused during initial stages of the BRU, where doing so does not impact the detainee's capacity to participate in the programs.
- 6.3. Staff developing a detainee's management plan must consult with colleagues from the Programs team to determine whether or not access to programs should be paused or continued.

RELATED DOCUMENTS

- Incentives and Earned Privileges Policy
- Guide – How to Conduct an IEP Review
- Appendix A - BRU Regime Notification to Detainee
- Appendix B - BRU Management Plan – Level 1
- Appendix C - BRU Management plan – Level 2
- Appendix D - BRU Management Plan – Level 3
- Detainee Property policy
- Detainees at Risk of Suicide or Self-harm Policy
- Case Note Policy
- Searching – Cell Infrastructure Checks
- Use of Force and Restraint Policy

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ACT Corrective Services
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Document details

Criteria	Details
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Document owner/approver:	Assistant Commissioner Custodial Operations, ACT Corrective Services
Date effective:	The day after the notification date
Review date:	3 years after the notification date
Responsible Officer:	Senior Director Accommodation
Compliance:	This operating procedure reflects the requirements of the <i>Corrections Management (Policy and Operating Procedure Framework) Policy 2022</i>

Version Control			
Version no.	Date	Description	Author
V1	November-22	First Issued	J Taylor-Dayus