

Corrections Management (Prohibited Things, Restricted, Excess and Non-Standard Items) Operating Procedure 2023 (No 2)*

Notifiable instrument NI 2023-449

made under the

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

1 Name of instrument

This instrument is the *Corrections Management (Prohibited Things, Restricted, Excess and Non-Standard Items) Operating Procedure 2023 (No 2)*.

2 Commencement

This instrument commences on the 7th August 2023.

3 Operating Procedure

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

4 Revocation

This operating procedure revokes the Corrections Management (Prohibited Things, Excess and Non-Standard Items) Operating Procedure 2021 [NI2021-353]

This operating procedure revokes the Corrections Management (Prohibited Things, Excess and Non-Standard Items) Operating Procedure 2021 [NI2023-370]

Bruno Aloisi
A/g Commissioner
ACT Corrective Services
21 July 2023

*Name amended under Legislation Act, s 60



OPERATING PROCEDURE	Prohibited Things, Restricted, Excess, and Non-Standard Items (No.2)
OPERATING PROCEDURE NO.	S1.2
SCOPE	ACT Correctional Centres

PURPOSE

To provide instructions for staff on how to manage prohibited things, restricted, excess and non-standard items coming into ACT correctional centres.

DEFINITIONS

Excess Item An item in quantities above a person's allowable limit or requirement including:

- medication
- items provided through the Stores system.

Non-Standard Item An item that would not normally be expected to enter a correctional centre, or that is not linked to a person's duties

Prohibited Thing An item that is not permitted to enter the AMC generally because of the potential to compromise the security of an ACT correctional centre or the safety of any person.

Prohibited Things Declaration Lists all items prohibited to possess or enter in a correctional centre.

Restricted Item A prohibited thing that is permitted under certain circumstances as described in this operating procedure.

Staff A person employed to work at an ACT correctional centre in any capacity.

1. Managing the Entry of Prohibited Things, Restricted items, Excess or Non-Standard Items

- 1.1. Correctional officers are authorised to challenge all attempted introductions of prohibited things, restricted items, excess and non-standard items and deny their entry into AMC in accordance with the *Searching Policy* and in the absence of the required approval in accordance with section 9.1 of this operating procedure.
- 1.2. If a correctional officer identifies an item as prohibited, restricted, excess or non-standard, the correctional officer must check the Prohibited Things, Restricted, Excess and Non-Standard

Items folder at the X-ray Officer's Station to confirm if the item is approved and ensure the entry conditions are in accordance with the approval and the item is as described.

- 1.3. If the item is approved for ongoing access, the person detailed on the *Prohibited Things, Excess and Non-Standard Item Application Form* is approved to enter and leave with the item as required.
- 1.4. If the item is approved for single entry or temporary entry, the details must be recorded in the *Prohibited Things, Excess and Non-Standard Items Register*.
- 1.5. Where a prohibited, excess and non-standard item that has been approved for single entry or temporary entry is removed from the AMC, the person detailed on the *Prohibited Things, Excess and Non-Standard Item Application Form* must sign the *Prohibited Things, Excess and Non-Standard Items Register* to confirm the item is exiting the AMC.
- 1.6. If the item is not approved to enter the AMC and the person asserts it is required for official reasons, the person must be directed to secure the item in a locker and attend AMC Executive Support to obtain a *Prohibited Things, Excess and Non-Standard Item Application Form*, and obtain the required approval as described at section 9.1.
- 1.7. If the item is prohibited, the correctional officer stationed at the gate or x-ray must:
 - a. immediately report the attempted entry to the Senior Director Operations or delegate for management in accordance with the *Evidence Management Operating Procedure*
 - b. complete a Security Information Report detailing the when, where, who what, and how of the attempted entry.

A Security Information Report can be accessed via [Security Intelligence Report Register - New Item \(sharepoint.com\)](#) or the Intelligence Reporting button on SharePoint.



- 1.8. If an excess or non-standard item is detected, the item will be returned to its owner to store in a locker prior to entering.
- 1.9. The Gate Supervisor must check the *Prohibited Things, Excess and Non-Standard Items Register* at the end of each day shift, to confirm that all approved single use and temporary entry items for that day are confirmed as having exited the AMC.
- 1.10. Where the Gate Supervisor is not able to confirm that all approved single use or temporary entry items for that day have exited the AMC, the Supervisor must:
 - a. make necessary inquiries to ascertain whether the item remains in the AMC
 - b. amend and endorse the *Prohibited Things, Excess and Non-Standard Items Register* as appropriate
 - c. report the outcome in an Incident Report.
- 1.11. The Gate Supervisor will remove any expired *Prohibited Things, Excess and Non-Standard Items Application Forms* and return them to the AMC Executive Support for record keeping.

2. Staff Approvals for Restricted Items

- 2.1. Staff members may bring the following restricted items into the AMC in accordance with the Prohibited Things Declaration:
- a. keys
 - b. medication (prescribed, herbal and/or over the counter) up to the required amount for one (1) day only. The employee may be asked to provide a prescription
 - c. currency/money up to \$20 only
 - d. food in plastic containers for personal consumption (in situations where a staff member is attending a workplace function, a small amount of food to share is permitted)
 - e. a mobile phone leased by ACTCS and stored in the Master Control Room (MCR) and used for business purposes
 - f. a laptop leased by ACTCS and stored in the operations building and used for business purposes
 - g. Mobile telephones in accordance with section 3.1 and 3.2.

3. Mobile Phone Approval for ACTCS Executive

- 3.1. The following executive level and above may bring a mobile phone into the AMC for business purposes:
- a. Assistant Commissioner
 - b. Commissioner
 - c. Correctional Officer Grade 4 (CO4)
 - d. Executive Branch Manager (EBM)
 - e. Senior Directors
- 3.2. The entry and exit of mobile telephones must be recorded at the Gate each day.

4. Police Access

- 4.1. Police conducting interviews with detainees are approved to bring all necessary equipment for the purpose of their attendance. In this situation, they are not required to complete the Prohibited Things, Excess and Non-Standard Item Application Form.
- 4.2. Details of the items brought into the AMC must be recorded in the Prohibited Things, Excess and Non-Standard Items Register by the Gate Officer.
- 4.3. The Police officer must sign the Prohibited Things, Excess and Non-Standard Items Register to confirm the item is exiting the AMC.

Police responding to a scene of crime are approved to bring the necessary equipment for the purpose of their attendance. In this situation, they are not required to complete the Prohibited Things, Excess and Non-Standard Item Application Form and correctional officers are not required to record the items they bring in.

5. Emergency Services personnel and Vehicle Access

- 5.1. Ambulance and Fire Brigade personnel responding to emergency situations have approval to bring in any equipment necessary for the purpose of their attendance. In this situation, officers are not required to record the items they bring in.
- 5.2. Where a vehicle is entering or exiting a correctional centre it must be searched in accordance with the Searching Policy and Vehicle Searches Procedure.

6. Inspector of Correctional Services

- 6.1. The Inspector of Correctional Services may bring in any equipment necessary for the purpose of their attendance. In this situation, they are not required to complete the Prohibited Things, Excess and Non-Standard Item Application Form.
- 6.2. Details of the items brought into the AMC must be recorded in the Prohibited Things, Excess and Non-Standard Items Register by the Gate Officer.
- 6.3. The Inspector of Correctional Services must sign the Prohibited Things, Excess and Non-Standard Items Register to confirm the item is exiting the AMC.

7. Members of ACT National Preventative Mechanism (NPM)

- 7.1. The ACT Human Rights Commissioner, The ACT Ombudsman and the ACT Inspector of Correctional Services make up the ACT's National Preventative Mechanism (NPM).
- 7.2. The NPM supports Australia's implementation of the United Nations' Optional Protocol to the Convention Against Torture and Other Cruel, Inhuman and Degrading Treatment or Punishment (OPCAT).
- 7.3. The NPM may bring in any equipment necessary for the purpose of their attendance. In this situation, they are not required to complete the Prohibited Things, Excess and Non-Standard Item Application Form.
- 7.4. Details of the items brought into the AMC must be recorded in the Prohibited Things, Excess and Non-Standard Items Register by the Gate Officer.
- 7.5. The NPM member must sign the Prohibited Things, Excess and Non-Standard Items Register to confirm the item is exiting the AMC.

8. Justice Health

- 8.1. Justice Health Service may request approval to bring a mobile phone into a correctional centre that is leased to Justice Health and used exclusively for business purposes. A Prohibited Things, Excess and Non-Standard Item Application Form must be completed and approved prior to entering a correctional centre with a prohibited item. Private mobile phones are prohibited.
- 8.2. The entry and exit of mobile telephones must be recorded at the Gate each day.

9. Approval of Prohibited items for Specific Purposes

- 9.1. Prohibited items may be approved to enter a correctional centre for specific purposes. Approval by the Commissioner, Assistant Commissioner Custodial Operations (ACCO) or a delegated Senior Director, must be received in advance of entry.
- 9.2. Prohibited items that may be considered for entry into a correctional centre for specific purposes are:
 - a. industrial cleaners
 - b. hand sanitising liquid
 - c. alcohol based products, such as communion wine in accordance with the [Detainee Religion Policy](#)
 - d. cameras and photographic devices
 - e. laptops
 - f. multi-media items
 - g. recording devices
 - h. tools that are not on the AMC tool register
 - i. other items required for business purposes.
- 9.3. To gain approval for a prohibited item to enter a correctional centre, the [Prohibited Things, Excess and Non-Standard Item Application Form](#) must be completed and submitted to the ACCO by email to AMCexecsupport@act.gov.au.
- 9.4. In the absence of the ACCO, the Commissioner or a Senior Director with the appropriate delegation may provide approval.
- 9.5. It may be determined that one of the following approvals for entry of the item is made:
 - a. ongoing entry — items that are approved to enter and leave as required by the approved person
 - b. single use entry — items that are approved to enter on one (1) day only and must be confirmed as having exited
 - c. temporary entry — items that are approved to enter for a limited time period and must be confirmed as having exited.
- 9.6. If approval to introduce the requested item into the AMC is provided:
 - a. a paper copy of the approved form must be added to the Prohibited Things, Excess and Non-Standard Items folder retained at the X-ray Officer's Station
 - b. the original endorsed form will be added to the Prohibited Things, Excess and Non-Standard Items folder retained by the custodial Executive Officer
 - c. the details of the approval will be registered on the electronic system coordinated by the custodial Executive Officer.

10. Legal Representatives

- 10.1. Legal representatives may request to use digital media for the purpose of conducting interviews or providing legal advice. Legal representatives must submit a *Prohibited Things, Excess and Non-Standard Item Application Form* and have this approved prior to entering a correctional centre with a prohibited item.

11. Contractors and Trades Access

- 11.1. Contractors and Trades may bring equipment including vehicles, plant, and tools for the purpose of undertaking work.
- 11.2. Contractors and Trades must complete the 'Contractor Tools, Equipment and Vehicle Approval Form' and have this approved by the ACCO or delegated Senior Director prior to entering a correctional centre with a prohibited item.
- 11.3. Any tools or equipment brought into a correctional centre without the appropriate approval are considered a prohibited thing and will be seized in accordance with the *Prohibited Things Declaration*. This includes mobile telephones and any other electronic devices.
- 11.4. The approved 'Contractor Tools, Equipment and Vehicle Approval Form' must be retained by the contractor or trades person and presented to a Correctional Officer for confirmation upon entering and exiting the centre.
- 11.5. The Gate Officer must also ensure an appropriate search is conducted of all tools and equipment entering a correctional centre in accordance with the *Searching Policy* and *Entry Searching Procedure*, prior to access being granted.
- 11.6. Where a vehicle is entering or exiting a correctional centre it must be searched in accordance with the *Searching Policy* and *Vehicle Searches Procedure*.
- 11.7. The Gate Officer must ensure all approved tools are signed in and out of the correctional centre on the 'Tools Register', prior to granting the contractor access to enter or leave the centre.

12. Administration

- 12.1. The custodial Executive Officer is responsible for the issue, collation and record keeping of all *Prohibited Things, Excess and Non-Standard Item Application Form*.
- 12.2. The custodial Executive Officer will provide *Prohibited Things, Excess and Non-Standard Item Application Form* in paper or electronic format on request.
- 12.3. Completed *Prohibited Things, Excess and Non-Standard Item Application Form* must be hand delivered to the AMC Gate or scanned and e-mailed to AMCexecsupport@act.gov.au five (5) business days prior to the intended date the item is to be introduced, unless there are exceptional circumstances, when a shorter time period may be allowed.
- 12.4. The custodial Executive Officer will maintain an electronic *Prohibited Things, Excess and Non-Standard Items Register* of all current and expired prohibited, excess, and non-standard items applications.

RELATED DOCUMENTS

Prohibited Things Declaration
Prohibited Things, Excess and Non-Standard Item Application Form
Prohibited Things, Excess and Non-Standard Items Register
Detainee Religion Policy
Evidence Management Operating Procedure
Security Information Report
Investigator Interviews with Detainees Policy
Maintenance and Infrastructure Management Policy
Searching Policy
Entry Searching Procedure
Vehicle Searches Procedure

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ACT Corrective Services
July 2023

Document details

Criteria	Details
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Date effective:	The day after the notification date
Review date:	3 years after the notification date
Responsible Officer:	Assistant Commissioner Custodial Operations
Compliance:	This operating procedure reflects the requirements of the <i>Corrections Management (Policy Framework) Policy 2020</i>

Version Control			
Version no.	Date	Description	Author
V5	July-23	Minor amendment	M McKenzie
V4	June-23	Major revision and update	M McKenzie
V3	May-21	Update	C Justason
V2	August-19	Update	T Rust

V1	June-18	First Issued	A Campbell
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