

Australian Capital Territory

Corrections Management (Detainee Observations) Operating Procedure 2024

Notifiable instrument NI2024–628

made under the

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

1 Name of instrument

This instrument is the *Corrections Management (Detainee Observations) Operating Procedure 2024*.

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.

Narelle Pamplin
Acting Commissioner
ACT Corrective Services
25 October 2024



OPERATING PROCEDURE	Detainee Observations
OPERATING PROCEDURE NO.	10.1
SCOPE	All correctional officers conducting observations of detainees

PURPOSE

To provide instructions to ACT Corrective Services (ACTCS) staff on conducting and recording effective observations of detainees.

The purpose of undertaking and recording observations is to check in with a detainee and identify any welfare needs. Correctional officers should observe the physical state of the detainee and where possible also talk to the detainee. Correctional officers are expected to record their observations and alert specialist staff, including as needed, medically trained staff.

DEFINITIONS

Welfare check A check with detainees that supports their health and wellbeing through a brief interaction. For example, checking with a detainee if they are feeling ok.

PROCEDURES

1. General

- 1.1. Under the *Risk Alerts Policy*, detainees who present a risk related to the welfare, safety or security of themselves and/or others may be assigned an observation regime.
- 1.2. The *Risk Alerts Policy*, *Induction Operating Procedure*, *Detainees at Risk of Suicide or Self-Harm Policy* and *Court Transport Unit Person at Risk Management Operating Procedure* outline the processes to assign, review or revoke observation regimes.
- 1.3. An observations regime for detainee observations may be assigned based on one or several risk alerts, which includes (but is not limited to) Suicide and/or Self-Harm, Psychiatric, Welfare, or be related to a Custodial Management function, such as observations due to the detainee being a new reception.
- 1.4. Observations may be assigned as constant or at intervals determined in accordance with the *Risk Alerts Policy*.
- 1.5. For observations where the detainee is in cell, in person observations means either through a window or hatch, whichever is applicable.
- 1.6. Welfare observations (W rating), previously referred to as medical observations (M rating), will **not** be conducted overnight.
- 1.7. In accordance with the *Core Day Operating Procedure* and the *Detainee Muster and Welfare Checks Operating Procedure*, welfare observations will occur at:

- a. evening muster
 - b. night lock-in
 - c. morning muster
 - d. full centre unlock.
- 1.8. The purpose of welfare observations is for staff to 'check in' with detainees to ask a detainee if they are feeling ok, if the detainee needs assistance, for staff to make an assessment about the need for an incident code to be called, etc.
 - 1.9. The staff assigning the detainee to an observation regime should immediately inform a detainee if they have been assigned an observation regime and the reasons why.
 - 1.10. Observations must be carried out in a way that as far as possible respects the detainee's privacy and minimises any distress to the detainee.
 - 1.11. Where young people are being supervised at the Court Transport Unit (CTU), ACTCS staff will comply with the observation requirements determined by the Bimberi Youth Justice Centre.

2. Conducting observations

- 2.1. Observations **MUST** be conducted in person and not via CCTV. The only exceptions are:
 - a. detainees in the CTU
 - b. detainees being transported in vehicles
 - c. in exceptional circumstances CCTV can be used to conduct an observation and clearly recorded on the Detainee Observation Form but an in person observation must occur as soon as possible after.
- 2.2. For CTU, observations may be undertaken by CCTV but there **MUST** be at least one observation conducted in person each hour without exception.
- 2.3. Observations must always be conducted within the assigned intervals unless it is unsafe to complete an observation.
- 2.4. For extra vigilance, within the assigned intervals, wherever possible, correctional officers should try to conduct additional observations at varying and different times (for example, if an observation is not due until 10:30, correctional officers could conduct an observation at 10:20 and then the one scheduled at 10:30).
- 2.5. If observations cannot be conducted in the assigned observation interval:
 - a. an observation must be undertaken as soon as possible
 - b. the Area Supervisor must be informed immediately
 - c. a note must be included on the Detainee Observation Form identifying that the observations were not able to be conducted and why this occurred
 - d. a case note recorded on the offender's electronic file (CORIS).
- 2.6. Observations must always be recorded at the time that they occur and the correctional officer who does the observation must be the person who completes and signs the Detainee Observation Form.

- 2.7. The day shift supervisor must ensure that visual obstructions are removed prior to ceasing shift.
- 2.8. If at any point an observation cannot be made due to a visual obstruction, the observing staff member should immediately:
 - a. notify their Area Supervisor
 - b. record that the observation could not be conducted and why
 - c. seek to make verbal contact with the detainee.
- 2.9. Staff must seek to resolve the visual obstruction as soon as practicable and as directed by their Area Supervisor:
 - a. if possible, by negotiating with the detainee to remove the obstruction themselves, if they are able to remove it and/or created the obstruction and/or
 - b. in accordance with the Discipline Policy as appropriate.

3. Recording

- 3.1. When conducting observations, a staff member must visually observe the detainee as per the relevant training and make a descriptive record of the observation on the Detainee Observation Form.
- 3.2. Staff should ensure that the record provides reasonable and useful information. For example:
 - a. if an observation of a detainee occurs while they are sleeping:
 - i. the observation form **SHOULD NOT** note something like 'lying down'
 - ii. the observation form **SHOULD** note something like 'appears asleep, left hand side.'
 - b. if an observation occurs while a detainee is awake:
 - i. the observation form **SHOULD NOT** note something like 'in cell'
 - ii. the observation form **SHOULD** note something like 'spoke to and was in good spirits.'
- 3.3. Constant observations must be recorded every 10 minutes.
- 3.4. All recordings of observations must be initialled by the observing staff member who must also have signed the form in the prescribed area.
- 3.5. Where two correctional officers conduct observations, both staff must complete the Detainee Observation Form.
- 3.6. Where one officer does an observation and learns that another officer has also done the observation at the same interval, both officers must record the observation independently.
- 3.7. At the midnight check in of observation sheets, or at the end of the observation regime, the Night Supervisor or Area Supervisor/Manager (if observations end during the day shift or at CTU) must check and sign off the Detainee Observation Form.
- 3.8. All original observations forms in the AMC must be placed in the Accommodation Administration pigeonhole to be scanned and uploaded to a detainee's electronic record prior to shift handover.

- 3.9. All original observations forms in CTU must be scanned and uploaded to the detainee’s electronic record by the end of shift each day.
- 3.10. It is the responsibility of Night Supervisor or Area Supervisors to ensure that observations:
 - a. are conducted correctly
 - b. occur at the assigned intervals
 - c. are recorded accurately.
- 3.11. If observations have not occurred in line with this Operating Procedure at any time, this must be case noted by the Area Supervisor, including the reasons why they have not occurred, on the detainee’s electronic record.

RELATED DOCUMENTS

- ACTCS AMC Detainee Observation Form
- ACTCS CTU Detainee Observation Form
- Admissions Procedure
- Court Transport Unit Person at Risk Management Operating Procedure
- Detainees at Risk of Suicide or Self-harm Policy
- Detainees at Risk of Suicide or Self-harm Operating Procedure
- Induction Operating Procedure
- Night Shift Operating Procedure
- Primary Health Notification Form
- Risk Alerts Policy

Jason Russell
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 ACT Corrective Services
 24 October 2024

Document details

Criteria	Details
Document title:	<i>Corrections Management (Detainee Observations) Operating Procedure 2024</i>
Document owner/approver:	Assistant Commissioner Custodial Operations, ACT Corrective Services
Date effective:	The day after the notification date
Review date:	Five (5) years after the notification date
Responsible Officer:	Senior Director Accommodation

Criteria	Details
Compliance:	This operating procedure reflects the requirements of the <i>Corrections Management (Policy Framework) Policy 2024</i>

Version Control			
Version no.	Date	Description	Author
V1	October-24	First Issued	H Cheney