

CORE DAY

POLICY NO. D1

ACT CORRECTIVE SERVICES



ACT
Government

Justice and Community Safety

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1 PURPOSE

ACT Corrective Services (ACTCS) is committed to maximising time out of cell for detainees, to providing activities and supports to enhance a detainee's desire and ability to reintegrate successfully into the community and lead a law abiding and constructive life.

This policy provides parameters for a Core Day that seeks to maximise the opportunities for detainees to access services and activities which enable and support successful reintegration into the community.

This policy requires correctional centres to establish an operating procedure(s) and other operational arrangements for day-to-day delivery of the core day. The policy also requires correctional centres to establish a regime management plan to ensure amendments to day schedules are facilitated in a safe, secure, decent and humane manner during periods when resources and operational requirements do not permit delivery of the core day.

2 SCOPE

This policy applies to all correctional centres in the ACT, excluding the Court Transport Unit.

The Assistant Commissioner Custodial Operations may establish operating procedures under this policy.

3 DEFINITIONS

Core Day A timetable of cell lock/unlock and other key activities which occur across a correctional centre that outlines the daily routine and provides clarity for staff and detainees. It does not include unit or cottage specific activities.

Structured Day Dedicated hours within the core day where detainees have the opportunity to access constructive activity.
As part of Integrated Offender Management and Case Management processes, each detainee is offered activities, opportunities and supports to address their offending behaviours.

Constructive Activity Planned activities for detainees which contribute to an increased likelihood of successful reintegration to the community. These may include activities that increase the likelihood of employment on

release, address offending behaviour and/or associated risks, meet health and wellbeing needs, provide for self-development, maintain cultural knowledge, and maintain cultural and family ties.

Constructive activity also includes periods of recreation, employment opportunities, detainee services, community work, drug and alcohol programs, reintegration programs, cultural activities, vocational education and training programs and are designed to provide prospects for a meaningful day, continued rehabilitation and reintegration to the community.

Time Out of Cell	The average number of hours per day that detainees are not confined to cells.
Night State	The period between 1900hrs and 0700hrs when all detainees have been accounted for and the centre is considered to be secure with night staffing arrangements in place. During night state detainees will only be unlocked where there is an immediate need.
Lockdown/Patrol State	A period where the entire correctional centre is in complete lockdown during the normal business hours, due to lunch, an emergency as defined in the <i>AMC Emergency Management Plan</i> or other exceptional circumstances. In Patrol State only essential services and activities are maintained.
Regime Management Plan	A Regime Management Plan (RMP) is a documented plan which clearly sets out amendments to the core day to maintain safety and security during periods in which resources and operational requirements do not permit delivery of the core day. The RMP will identify the types of services and activities that will be delivered within the centre at the different stages of the RMP and minimum staffing requirements for each stage.
Regime Lock-in	A period where specific units, or a portion thereof, are locked in to maintain safety and security.

4 CORE DAY

- 4.1 Correctional centres will establish a core day operating procedure which allows all detainees, who are not subject to specific management regimes the opportunity for a minimum of 9 (nine) hours' time out of cell per day.

- 4.2 For safety and security reasons, the time at which detainees are secured in their pods in cottage accommodation in the evening may be adjusted throughout the year to reflect daylight hours or low visibility. Time out of cell will not be affected.
- 4.3 Detainees who are subject to specific management regimes for reasons including, but not limited to, intervention within the Crisis Support Unit, disciplinary action, or segregation under part 9.2 of the Corrections Management Act 2007 (ACT) will have a modified regime which takes full consideration of the operational risks and the purpose of the regime.
- 4.4 The minimum living conditions in Chapter 6 of the Corrections Management Act 2007 (ACT) apply at all times to detainees, including those who are segregated under part 9.2 of the Corrections Management Act 2007 (ACT) or subject to a disciplinary penalty.
- 4.5 Detainees may have access to additional privileges in accordance with the Incentives and Earned Privileges Policy.
- 4.6 Detainees on remand will as far as practicable have different and less restrictive conditions than sentenced detainees, in recognition of the presumption of innocence, and taking into consideration the safety of any person, and security and good order at a correctional centre, in accordance with the Remand Detainees Policy.
- 4.7 Where changes to the Core Day are imposed under this policy, detainees' access to activities and services must only be restricted to the least extent that is operationally possible and reasonable in accordance with section 28 of the Human Rights Act 2004.
- 4.8 Cultural and religious considerations, such as prayer obligations, must be accommodated as far as reasonably possible, including where changes to the Core Day are imposed under this policy.
- 4.9 Reasonable adjustments must be made for detainees with additional needs where reasonably possible and in accordance with the Detainees with Additional Needs Policy, including where changes to the Core Day are imposed under this policy. This may include reasonable adjustments to accommodation, attendance at work, education, or programs.

5 CONSTRUCTIVE ACTIVITY

- 5.1 The core day will provide detainees the opportunity to engage in a minimum of five and a half (5.5) hours of constructive activity each weekday, except in accordance with section 4.3.
- 5.2 Detainees will have access to organised recreational and other activities based on schedules that take into account detainee classification levels and other factors to ensure the safety and security of detainees and the correctional centre.
- 5.3 Where a detainee is under a specific management regime in accordance with section 4.3, the regime should afford as much access to constructive activity as is reasonably practicable in the specific circumstances.
- 5.4 Different detainee cohorts, e.g., Transitional Release Program participants, female detainees, strict protection detainees or detainees on different Incentives and Earned Privileges scheme levels, may have access to different activities or different levels of the same activity, however the standard minimum of five and a half (5.5) hours of time to engage in constructive activity remains the same.

6 ADJUSTMENTS TO THE CORE DAY & WHOLE OF CENTRE LOCKDOWNS

- 6.1 The Assistant Commissioner Custodial Operations has the authority to adjust the Core Day and reduce the time out of cell hours on a given day or for a specific period where necessary and reasonable.
- 6.2 Where the Core Day is adjusted, the minimum conditions for detainees continue to apply as per section 4.4. The period and extent of limitations on detainee conditions must be the least that is practicable and reasonable in accordance with section 28 of the *Human Rights Act 2004*.
- 6.3 Circumstances that may justify an adjustment to the Core Day include but are not limited to:
 - a. Critical staff training required to ensure the safe and humane operation of the centre
 - b. all-staff meetings
 - c. management of maintenance issues required to ensure safe and humane conditions of detention
 - d. critical incident management

- e. infectious disease control
 - f. emergency management under the AMC Emergency Management Plan.
- 6.4 Where reasonably possible detainees should be given advance notice of a lockdown or change to the Core Day. Advance notice must not be given where the Assistant Commissioner Custodial Operations reasonably believes this would create a risk to safety, security or good order.
- 6.5 The Officer in Charge (OIC) must record lockdowns and any other changes to out of cell hours in CORIS.

7 UNIT LOCK-INS

- 7.1 Unit (or portions thereof) lock-ins should only occur where necessary to maintain health, safety, security and/or humane conditions of detention. The Duty Manager or Officer in Charge (OIC) may authorise unit lock-ins under circumstances including, but not limited to:
- a. insufficient staffing to maintain the safety and security of the centre
 - b. management of maintenance issues required to ensure safe and humane conditions of detention
 - c. protection of health, e.g., control of an infectious disease
 - d. emergency management under the AMC Emergency Management Plan
 - e. to maintain safety, security and good order, e.g., to facilitate a targeted search, to prevent an escape, or to manage a serious incident.
- 7.2 In all circumstances any lock-in must be for the minimum period necessary.
- 7.3 Where reasonably possible detainees should be given advance notice of a lock-in. Advance notice must not be given where the Duty Manager or Officer in Charge (OIC) reasonably believes this would create a risk to safety, security or good order.
- 7.4 Where unscheduled lock-ins are necessary and the reason for the lock-in does not require a specific unit to be locked in, the Assistant Commissioner Custodial Operations will ensure a schedule is in place to reduce the impact across each area by rotating the accommodation areas and units being locked in.
- 7.5 The OIC will record all lock-ins in CORIS, including time, duration, affected accommodation areas and units, the number of detainees affected and the reason for the lock-in.

- 7.6 The AMC Compliance Team must provide a report on all lockdowns and lock-ins to the Assistant Commissioner Custodial Operations each month for review.

8 REGIME MANAGEMENT PLAN

- 8.1 The Assistant Commissioner Custodial Operations will establish a Regime Management Plan which establishes the services and activities to be delivered and associated staffing resources in line with the following:
- Green – full delivery of activities and services
 - Amber – reduced delivery of activities and services, including health, visits, programs, education, and all employment
 - Red – basic delivery of activities and services including health, visits, chaplaincy, and essential employment
 - Patrol State.
- 8.2 The Assistant Commissioner Custodial Operations must ensure relevant stakeholders, including the Community and Public Sector Union, are consulted in the development of the Regime Management Plan.
- 8.3 The Regime Management Plan must be created in line with the following prioritisation:
- safety
 - security
 - reintegration (i.e., unit lock downs where detainees are not engaged in constructive activities other than recreation may occur prior to the cancellation of programs and other such activities).
- 8.4 The Regime Management Plan must include:
- a. a clear overview of the regime at each stage of the RMP, including constructive activities and services to be maintained
 - b. the staffing profile required to maintain safety and security and safely and effectively provide the identified activities and services at each stage of the RMP.
- 8.5 The Regime Management Plan must be endorsed by the Commissioner.
- 8.6 The Assistant Commissioner Custodial Operations must review the Regime Management Plan at intervals no greater than annually or following any significant changes within the centre.

9 REVIEW

- 9.1 The Assistant Commissioner Custodial Operations will review the core day as operationally required, but at no greater interval than every 12 months.
- 9.2 In reviewing the core day, the onus will be on exploring initiatives to enhance both the time out of cell and effective access to constructive activities.
- 9.3 The Assistant Commissioner Custodial Operations will submit a review of the core day annually to the Executive Governance Committee for approval.

10 RELATED DOCUMENTS

- Core Day Operating Procedure
- Regime Management Plan



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A/g Commissioner
ACT Corrective Services
27 June 2023

Document details

Criteria	Details
Document title:	<i>Corrections Management (Core Day) Policy 2023</i>
Document owner/approver:	Commissioner, ACT Corrective Services
Date effective:	The day after the notification date
Review date:	Three years after the notification date
Compliance with law:	This policy reflects the requirements of the <i>Corrections Management (Policy Framework) Policy 2020</i>
Responsible officer:	Assistant Commissioner Custodial Operations

Version Control			
Version no.	Date	Description	Author
V1	September-18	First Issued	A Campbell
V2	April-20	Review	C Justason
V3	May-23	Review and title change	S Viereck