



Expectations on the treatment of people deprived of their liberty in **adult custodial centres**

Version 1.2 – June 2025



Acknowledgment of Traditional Owners

In recognition of the deep history and culture of this Island, we acknowledge Tasmanian Aboriginal people, the original and continuing Custodians of the Land, Waterways, Sea and Sky.

We acknowledge and pay our respects to all Tasmanian Aboriginal people, all of whom have survived invasion and dispossession, and continue to maintain their identity, culture and Aboriginal rights.

We commit to working respectfully to honour their ongoing cultural and spiritual connections to this land.



About the Tasmanian NPM and Custodial Inspector

The **Tasmanian National Preventive Mechanism** (NPM) is an independent statutory body established in accordance with the *OPCAT Implementation Act 2021* (Tas). The purpose of the Tasmanian NPM is to prevent the torture and ill-treatment of people deprived of their liberty by embedding best practice human rights. It does this through proactive oversight of settings where people are or may be deprived of their liberty in Tasmania, ongoing cooperation with government and relevant authorities, and by providing education and advice.

The Tasmanian NPM works alongside NPM's across Australia to ensure the fulfilment of Australia's obligations under the Optional Protocol to the Convention against Torture, Cruel, Inhuman or Degrading Treatment or Punishment (OPCAT).

The **Custodial Inspector** is an independent statutory body established under the *Custodial Inspector Act 2016*. Like the Tasmanian NPM, its functions include proactive oversight of places where people are deprived of their liberty in Tasmania, focusing on adult custodial centres and youth detention. This occurs through onsite inspections, the subsequent publication of reports that detail findings and recommendations, and regular monitoring of custodial centre systems and records.

The Custodial Inspector is required to inspect each Tasmanian custodial centre at least once every three years. The Custodial Inspector works in cooperation with the Tasmanian NPM. These expectations form the foundation of its inspections, and it has been delegated authority to exercise Tasmanian NPM functions.



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Introduction

ADULT CUSTODIAL CENTRES

Deprivation of liberty settings covered by these expectations	All adult custodial centres including prisons, remand centres, and related transport
Date of publication	June 2025

These expectations have been created with the intention of upholding the human rights of people deprived of their liberty in custodial centres across Tasmania. They are designed to prevent torture and other cruel, inhuman or degrading treatment or punishment.

The expectations were prepared between 2023 and 2024, as part of the Tasmanian NPM implementation project. Development of the expectations was led by subject matter expert, Emeritus Professor Neil Morgan AM.¹

The expectations were drawn up after extensive consultation and are based on, and referenced against, international and domestic human rights instruments, including:

- *The Nelson Mandela Rules* (The United Nations Standard Minimum Rules for the Treatment of Prisoners, 2015).
- *The Bangkok Rules* (The United Nations Rules for the Treatment of Women Prisoners and Non-Custodial Measures for Women Offenders, 2010).
- *Guiding Principles for Corrections in Australia* (2018 version). These Principles were developed and agreed by all Australian correctional services departments.
- *The European Prison Rules* (2020 version). The Rules apply to all 47 countries who are part of the Council of Europe.
- *The Yogyakarta Principles* (Principles on the application of international human rights law in relation to sexual orientation and gender identity, 2017 version)².

¹ From 2009 to 2019, Neil Morgan served as Western Australia's Inspector of Custodial Services, tabling over 100 reports to Parliament on the treatment of people in custody. Before this, he served as a Professor of Law and is currently an Emeritus Professor at the University of Western Australia.

² These principles have not been adopted by the United Nations but offer useful guidance.

A complete list of relevant international and domestic human rights instruments and acronyms is provided at Appendix 1: Human rights instruments, standards and guidance.

Preparation of these expectations included in-person visits to custodial centres around Tasmania. We visited Risdon Prison Complex, Mary Hutchinson Women's Prison, Ron Barwick Prison, Hobart Reception Prison, and Launceston Reception Prison. During these visits we spoke with a range of stakeholders, including staff and people in custody.

We also sought submissions from civil society on the draft expectations, which were published on the Tasmanian NPM website. We met with a range of organisations, including the Tasmania Prison Service, Tasmanian Aboriginal Legal Service, LGBTIQ+ groups, unions, the Interim Disability Commissioner and the Commissioner for Children and Young People. We also sought feedback on the draft expectations from people in custody, including conducting a number of consultation sessions. We are very grateful for the input of all interested parties and made revisions in response to the feedback.

The Office of the Custodial Inspector has been delegated authority, under section 11 of the *OPCAT Implementation Act 2021* (Tas), to undertake regular Tasmanian NPM visits to custodial centres. The Custodial Inspector will also inspect police and court custody cells and watch-houses, which are addressed under separate expectations available on the Custodial Inspector website. This delegation to the Custodial Inspector is intended to provide people in the justice system with a single NPM contact point whilst in custody.

These expectations are published in accordance with section 9(i) of the *OPCAT Implementation Act 2021* (Tas), and section 6(c) of the *Custodial Inspector Act 2016* (Tas). They replace the 'Inspection Standards for Adult Custodial Centres in Tasmania', issued by the Custodial Inspector in 2018.

What are expectations?

NPMs commonly release expectations documents to help people understand some of the matters NPMs will consider when exercising their functions. They are also working documents, used to support the Tasmanian NPM and its staff when examining different settings. The publication of expectations is a demonstration of the NPM's independence.

To meet Australia's obligations under OPCAT, the Tasmanian NPM exercises its functions to ensure that international human rights standards are met. Expectations documents are created in line with guidance from the United Nations Subcommittee on the Prevention of Torture.

The experience of persons deprived of their liberty is at the heart of each expectations document. The expectations serve as a guide to assist with identifying areas of concern, rather than to identify if a practice or situation may constitute a human rights violation. Following this approach, they are designed to focus on outcomes for the person rather than processes.

Each document is organised into overarching topics, followed by expectations, which are underpinned by a series of indicators. These indicators guide the NPM in making a judgment about whether the corresponding expectation is being met by setting out some of the primary ways this occurs (some of which may be essential safeguards, underpinned by law or in human rights standards). Importantly, indicators are not designed to be a tick-box exercise for compliance, and do not exclude additional or other ways of achieving the expected outcome for the person deprived of their liberty. For example, a facility may meet an expectation in a different way from what the indicators suggest. We may also decide to use different indicators if circumstances require this.

The expectations are arranged thematically to ensure that people have easy access to specific areas and to support the Custodial Inspector's established thematic approach to inspections. There are three Parts to the expectations:

- **Part One** lays out the general principles that are relevant to all persons in custody.
- **Part Two** provides supplementary expectations for particular groups of people: Aboriginal people, people on remand, younger people, older people, women, LGBTIQ+ people, people with disability and foreign nationals.
- **Part Three** covers planning, human resources, governance and sustainability.

The United Nations Convention against Torture and the Optional Protocol

The United Nations General Assembly adopted the *Convention against Torture and Other Cruel, Inhuman or Degrading Punishment or Treatment* in 1984. Australia signed the Convention in 1985 and ratified it in 1989.

People often use the word 'torture' to refer to cases where one person inflicts pain on another person to obtain information. The Convention defines torture more broadly, to mean any form of 'cruel, inhuman or degrading punishment or treatment'. Importantly, a person's treatment can be cruel, inhuman or degrading because of poor conditions, mismanagement or poor processes, rather than deliberate acts by another person.

In 2002, the United Nations General Assembly adopted the *Optional Protocol to the Convention against Torture* (OPCAT) and established the Sub-committee on the Prevention of Torture (SPT) to monitor its implementation. Australia signed OPCAT in 2009 and ratified it in 2017. The primary goal of OPCAT is to prevent torture and ill-treatment in places where people are or may be deprived of their liberty ('places of detention').

A critical element in prevention is to have a system for independent visits to all places of detention. In ratifying OPCAT, the Commonwealth government committed the whole of Australia to setting up National Preventive Mechanisms ('NPMs') to visit and inspect all places of detention. The SPT also has the right to visit.

In July 2018, the Commonwealth government appointed the Commonwealth Ombudsman as Australia's NPM. The States and Territories are responsible for establishing NPMs to inspect places of detention within their jurisdiction. The Commonwealth Ombudsman is responsible for inspecting Commonwealth places of detention. It is also the national coordinating NPM, with responsibility for collating country-wide information and for reporting to the SPT.

In 2021, the Tasmanian Parliament passed the *OPCAT Implementation Act*, establishing Tasmania's NPM legal framework and enabling visits to Tasmanian places of detention by the SPT. In February 2022, the Tasmanian government nominated Mr Richard Connock to be the State's first NPM. To that end, Mr Connock has developed 'Expectations' for every place of detention that he will examine as Tasmanian NPM.

For many places of detention, OPCAT implementation will be the first time there has been a system of independent, visit-based inspections. However, prisons and youth detention already have a well-established inspection regime which reports to the Tasmanian Parliament - the Office of the Custodial Inspector.

Acknowledgments

We have made extensive use of the Expectations and Standards in other jurisdictions. In particular, we have drawn on the Office of the Inspector of Custodial Services, Western Australia: *Revised Code of Inspection Standards for Adult Custodial Services* (2020).

We also acknowledge the New Zealand Office of the Inspectorate *Te Tari Tirohia Inspection Standards* (2009), the ACT Inspector of Custodial Services *ACT Inspection Standards for Adult Correctional Services* (2024) and HM Inspectorate of Prisons, *Expectations for men and women in prisons* (2014 and 2017).



This is an evolving document

This is the first version of the *Expectations for the treatment of people deprived of their liberty in adult custodial centres* ('the Expectations'). Corrections is always evolving. To remain contemporary and relevant, we intend to review the Expectations after they have been in operation for a few years. The Tasmanian NPM and the Custodial Inspector always welcome feedback from all stakeholders, particularly people with lived experience.



Summary of expectations

Part One: Expectations for all prisoners

Topic 1: Core expectations and principles

- 1.1 All people in custody are treated with respect for their inherent dignity and value as human beings.
- 1.2 People are protected from, and not subject to, any cruel, inhuman, or degrading treatment or punishment.
- 1.3 Prison operations, procedures and activities reflect the fact that people are sent to prison as punishment, not for punishment.
- 1.4 Every person in prison is safe and secure. This includes people in custody, staff, service providers and visitors.
- 1.5 The prison promotes personal responsibility, self-respect, and self-dignity, minimising the differences between life in custody and life at liberty.
- 1.6 Prison operations, procedures and activities are age, gender and culturally appropriate.
- 1.7 People in custody are not discriminated against on any grounds, including race, colour, gender, gender identity, intersex status, sexuality, disability, language, religion, political opinion, national or social origin, property, birth, or any other status.
- 1.8 People's individual needs are catered for, particularly those who are more vulnerable, more at risk, or have additional mental and physical health needs.
- 1.9 People can access appropriate rehabilitation and reintegration activities, programs and services to support their release.
- 1.10 People working with those in custody have the right attitudes and are appropriately trained.
- 1.11 Effective organisational leadership is backed by good onsite management.
- 1.12 Record keeping is accurate, detailed, transparent and accountable.



Topic 2: Early days in custody

2.1 Transfer into Prison Service Custody

- *There is an effective and respectful handover of the person between police or other service providers and the Tasmania Prison Service*

2.2 Reception and admission

- *People feel safe and are treated with decency and respect. Their needs and risks are identified and supported.*
- *Newly admitted people can promptly inform family or other key contact persons and legal services of their detention, and access services to help with family, domestic, social and financial matters.*

2.3 Physical and mental health screening

- *During reception, people are screened to assess their physical and mental health. If problems are identified, appropriate measures are implemented.*

2.4 Orientation

- *Prompt and supportive orientation processes ensure that people understand life in prison, including their rights and responsibilities. Literacy and numeracy skills of people are assessed.*

Topic 3: Contact with the outside world

3.1 Family and friends

- *People can maintain and develop relationships with family, friends and community.*
- *Visiting arrangements are timely, respectful and flexible.*
- *There is an efficient visit booking system and a welcoming, child-friendly visitors' centre.*
- *People in custody receive contact visits unless significant security or safety risks require non-contact visits.*
- *Visit facilities are comfortable, prosocial and safe.*
- *The prison arranges e-visits, phone calls, mail and email contact.*
- *Security measures prevent the inappropriate use of phone, mail, e-visit, and email systems, but do not unduly interfere with privacy.*

3.2 Visits between people in custody

- *The prison facilitates visits between family members when both parties are in custody. Family includes intimate partners, children and siblings. Family also recognises the special kinship ties of Aboriginal people*

3.3 Visiting sick relatives and attending funerals

- *People can visit sick relatives and attend the funeral of a family member, subject to risk assessments.*

3.4 Knowing what's happening in the world

- *People can keep up to date with news and current events.*



Topic 4: Resolving legal issues, requests and complaints

- 4.1** Access to lawyers and legal resources
 - *People have confidential access to legal representatives.*
 - *People have access to legal resources.*
- 4.2** Court appearances
 - *People are helped to prepare for court and tribunal hearings.*
- 4.3** Requests and complaints
 - *Every prison has an advisory group, made up of people in custody, which meets with management.*
 - *Internal request and complaint procedures are understood, timely and effective.*
 - *People can make requests and lodge complaints without being victimised.*
 - *People have confidential access to relevant external organisations.*
 - *The Prison Service promptly and fully addresses the issues raised by external organisations.*

Topic 5: Conditions, clothing, bedding and food

- 5.1** Infrastructure
 - *The physical environment is well designed and fit for purpose.*
 - *Infrastructure is well maintained and safe.*
 - *Cell sizes comply with the Standard Guidelines for Prison Facilities in Australia and New Zealand 1990.*
- 5.2** Environmental health and hygiene
 - *The physical environment is safe, clean and meets public health standards.*
 - *People are encouraged to keep themselves, their cells and communal areas clean.*
- 5.3** Clothing and bedding
 - *People have decent quality, clean clothing that is suitable for the climate and their needs.*
 - *People can wear non-prison clothing when attending court and on release.*
 - *People have a bed and clean bedding.*
- 5.4** Food and nutrition
 - *There is a varied, healthy diet. Meals meet medical, religious, cultural, and dietary needs and preferences.*
 - *Food preparation, storage and serving practices meet hygiene and safety standards.*



Topic 6: Daily Life

6.1 General regime

- *The prison regime is purposeful and respectful and takes account of the diversity of the prison population*

6.2 Education and training

- *The prison delivers life skills courses.*
- *People's learning abilities, needs and wants are assessed, including literacy, numeracy and digital literacy.*
- *The prison provides a broad range of education and training opportunities relevant to people's needs and interests and market need.*

6.3 Employment

- *All people in custody can engage in purposeful work that increases their employability on release.*
- *Work for people in custody is safe.*
- *Work for people in custody is not exploitative.*
- *The work of people in custody benefits the community and does not unduly affect local businesses.*

6.4 Recreation and fresh air

- *All people in custody can spend at least two hours each day in the open air.*
- *People have regular access to exercise and other recreational activities out of their cell and in cell.*

6.5 Library

- *People have regular access to a well-resourced library.*

6.6 People's property

- *People's property is securely stored. They can access it on reasonable request.*

6.7 Incentives, gratuities and purchases

- *The incentive scheme is applied fairly, consistently and transparently.*
- *The gratuity system is fair, transparent, and based on engagement and skill levels.*
- *People can purchase a range of items that meet their diverse needs.*

6.8 Getting support

- *There is an active and structured peer support program.*
- *The prison provides a range of supports internally, and from external service providers.*

6.9 Religious and spiritual freedom

- *Freedom of religion is respected and facilitated. People of no faith can also access spiritual support.*
- *Chaplaincy services provide support to all people in custody, irrespective of faith.*



Topic 7: Rehabilitation and reintegration

- 7.1** Classification, sentence administration and case management
- *People are held in custody and released in accordance with the law.*
 - *People understand the details of their custody.*
 - *Assessment and classification systems are based on individual risk and need.*
 - *Case management plans meet people's needs and risks.*
 - *People are supported to achieve the goals of their case management plan.*
 - *Information is shared with relevant authorities and stakeholders.*
- 7.2** Offending programs
- *People have equal access to a range of programs to address offending behaviour.*
 - *Programs are evidence-based, evaluated and subject to effective governance.*
 - *Programs are delivered on time.*
 - *Prison-based treatment programs link with community-based programs.*
- 7.3** Preparation for release
- *People are prepared for release.*
 - *People nearing release are placed in minimum-security facilities unless they pose too high a risk*
 - *On the day of release, people receive all necessary practical support and information.*

Topic 8: Health

- 8.1** Physical health care
- *People have equal access to health care, which is independent of the prison service, in an environment of dignity and privacy.*
 - *People are supported and encouraged to optimise their health and wellbeing.*
 - *Health care is multidisciplinary, gender sensitive and culturally appropriate.*
 - *The prison has sufficient facilities and equipment.*
 - *Only qualified health care staff do clinical tasks. There are enough staff to perform the required services.*
 - *Health care staff are fully accredited and have access to professional development.*
 - *People receive a health examination by qualified health staff within 72 hours of reception.*
 - *Health services are timely and easy to access.*
 - *People in custody are kept informed and give informed consent.*



- *Information sharing about people's health balances risk and medical confidentiality*
- *People have timely access to specialist services.*
- *The prison implements effective harm minimisation measures.*
- *Medications are distributed safely and securely.*
- *Health services promote continuity of care on release or transfer.*
- *Health files for people in custody are accurate, up to date and confidential.*
- *People can access health advocacy services and complaint mechanisms.*

8.2 Mental health care

- *The prison provides sufficient services to meet the health needs of people with mental illness, neurological and developmental disorders, trauma, personality disorders and comorbidities.*
- *All staff are suitably qualified.*
- *The prison promotes and supports resilience in people in custody and staff.*

8.3 Substance use and comorbidity

- *Newly arrived people into custody are screened for substance use and supervised detoxification processes are available.*
- *There are effective strategies to reduce demand for illicit drugs, prescription drugs, alcohol, and cigarettes, and to refer people to treatment programs.*
- *People with a history of substance use receive individualised treatment and support.*
- *People with a history of comorbidity receive multidisciplinary, coordinated interventions and support.*

Topic 9: People who have experienced abuse or trauma, people at risk of self-harm, and deaths in custody

9.1 People who have experienced abuse or trauma

- *People who have experienced abuse or trauma receive appropriate support and are helped to seek redress.*

9.2 People at risk of suicide or self-harm

- *There are effective systems to identify people at risk of self-harm or suicide.*
- *People at-risk are treated safely and with dignity and respect.*
- *A multidisciplinary team meets daily to consider the management of people at-risk.*
- *The person's family and supports are informed and are consulted as appropriate.*
- *The prison, the Department of Justice and the Department of Health, monitor and communicate about risks, trends and inquest findings.*



9.3 Death and serious self-harm

- *The prison promptly notifies all relevant parties about serious incidents, facilitates a comprehensive investigation, and provides support.*

Topic 10: Emergency management

- 10.1 The prison has a comprehensive emergency management plan which includes Memoranda of Understanding (MOU) with Police, Fire Services and other emergency services.
- 10.2 The prison implements effective measures to prevent and respond to pandemics and outbreaks of infectious disease.
- 10.3 Alarms and emergency equipment are working, staff are properly trained, and the prison conducts regular emergency management exercises.
- 10.4 The prison has measures that reduce the risk of disturbance and responds appropriately if incidents break out.
- 10.5 The prison and the Department invest sufficient resources into recovery.

Topic 11: Security

- 11.1 Relational security
 - *Staff have a positive, proactive and respectful relationship with people in custody, which reduces the risks of aggression and confrontation and helps to de-escalate tensions*
- 11.2 Physical security
 - *Physical security is proportionate to risk and not unduly restrictive.*
- 11.3 Procedural security
 - *Access to the prison is well-controlled and respectful.*
 - *Internal movements and counts of people in custody are well-controlled and respectful.*
 - *Security and intelligence systems successfully identify current and emerging threats.*
 - *There are effective measures to prevent the entry of contraband*
 - *There are effective measures to deter and detect drugs, alcohol and other contraband within the prison.*
- 11.4 Searches
 - *Searches are only conducted when necessary, and with respect for the person's dignity and privacy.*
 - *People in custody, staff and visitors are only strip searched when absolutely necessary, and with respect for individual rights, dignity and comfort.*



11.5 Incident response

- *The prison has efficient and effective incident response capacity. Incident responses are proportionate.*

11.6 Use of force and restraints

- *Force is only used as a last resort. It is legitimate, proportionate, and never used as a punishment.*
- *Use of force is subject to strict governance and record keeping.*
- *People are not placed in ‘special accommodation’ (cells from which normal furniture or bedding has been removed) or mechanical restraints, except as a last resort and with proper authorisation.*
- *People are not placed in dry cells (a prison room without running water that is usually under video surveillance), except as a last resort, as a consequence of specific information, and with proper authorisation.*

11.7 High-security management regimes

- *People in special high-security management regimes are treated with decency and humanity.*

Topic 12: Safety and behaviour management

12.1 Bullying and violence

- *People in custody feel safe from bullying and victimisation.*

12.2 Shared cells

- *People are only allocated to shared cells after a formal risk assessment.*

12.3 Radicalisation and violent extremism

- *The prison works to prevent radicalisation and violent extremism from being organised or supported by any person in custody*

12.4 Protection and administrative segregation

- *People with protection status are safely managed to prevent harm, abuse and neglect.*
- *Administrative segregation is strictly governed.*

12.5 Encouraging positive behaviour

- *Staff behaviour models what is expected from people in custody.*
- *People are encouraged to show prosocial behaviours and to take responsibility for their actions.*
- *The prison has clearly defined codes of conduct for staff, people in custody and visitors.*



12.6 Punishment and segregation

- *Disciplinary proceedings for people in custody are legal, fair, proportionate and efficient.*
- *People are not subject to any cruel, inhuman or degrading punishments, such as prolonged solitary confinement, corporal punishment, placement in a dark or constantly lit cell, sensory deprivation or reduced diet.*
- *People are only segregated with proper authority and for the shortest period.*
- *People are kept safe while segregated. They can access fresh air, and their individual needs are met.*

Topic 13: Transport

- 13.1** Vehicles used to transfer people in custody meet safety, dignity and security standards.
- 13.2** Transfers of people in custody are conducted safely, and with respect and decency.
- 13.3** Staff conducting transfers are adequately trained.

Part Two: Supplementary expectations for specific groups of people in custody

Topic 14: Aboriginal people

- 14.1** Planning
 - *The Prison Service has a strategic plan to address the targets and actions identified in the government's Closing the Gap Implementation Plan 2021-2023 and other government plans.*
- 14.2** Staff culture and training
 - *Staff relate well with Aboriginal people and recognise that they may have different needs.*
- 14.3** Connecting to family and culture
 - *Aboriginal people are identified on admission*
 - *Aboriginal people can learn about their family history and connect with family and community whilst in custody.*
- 14.4** Physical environment
 - *New prison buildings are designed with input from Aboriginal people*
 - *Prison buildings use artwork, landscaping and other features that reflect local Aboriginal culture.*
- 14.5** Staffing
 - *Aboriginal people are employed in a variety of roles, and they are valued and supported.*



14.6 Time in custody

- *Aboriginal people in custody have equal access to employment, training, education and treatment programs.*
- *Aboriginal people and organisations are delivering services and supports.*
- *Events and cultural activities are organised throughout the year.*
- *Aboriginal programs and support services are age and gender sensitive.*

14.7 Preparation for release

- *Aboriginal people in custody receive help to transition back to the community.*

Topic 15: People on remand

15.1 Planning

- *The Prison Service has a strategic plan for people on remand.*

15.2 Staff training

- *Staff understand and respect the legal status, entitlements, needs and risks of people on remand.*

15.3 Assisting people on remand

- *People are helped to meet bail conditions or to apply for bail.*
- *The prison assists people on remand on release.*
- *The prison endeavours to minimise the stress and uncertainty of being remanded in custody.*

15.4 Regime and conditions

- *The regime reflects the fact that people on remand have not been convicted.*
- *People on remand are managed safely and separately from people who are sentenced.*
- *Conditions for people on remand are no less favourable than those for people who are sentenced.*

Topic 16: Younger people

16.1 Planning

- *The Prison Service has a strategic plan for people up to the age of 25 years.*

16.2 Staff training

- *Staff adopt an age-appropriate approach to managing young people.*



- 16.3** Young people under 18 years of age
- *Strict protocols and procedures govern the admission to prison of people under 18 years of age.*
 - *Young people under 18 years of age are separated from adults, and receive age-appropriate care, treatment and support*
- 16.4** Prisoners aged 18 to 25 years
- *People in custody aged 18 to 25 years are treated and supported in a way that is appropriate to their age, gender and development.*

Topic 17: Older people

- 17.1** Planning
- *The Prison Service has a strategic plan for older people in custody*
- 17.2** Staff training
- *Custodial staff know about age-related physical and mental health decline, and the implications for the management of people in custody.*
- 17.3** Early days in custody
- *Older people's needs and risks are identified early.*
- 17.4** Placement and accommodation
- *There is suitable accommodation for older people. Placement decisions prioritise age-related needs.*
 - *People with age-related health issues are managed safely, respectfully and fairly*
- 17.5** Daily life
- *The regime for older people is purposeful and respectful. It differs, as necessary, from the general prison regime.*
 - *Older people have access to meaningful education, employment and program opportunities*
 - *The prison uses the experience and skills of older people.*
- 17.6** Health and support
- *Older people receive proactive, respectful and age-appropriate health care.*
 - *Older people have adequate support.*
 - *The prison deals appropriately with end-of-life decisions, care and support.*
- 17.7** Preparation for release
- *Older people are adequately prepared for release.*



Topic 18: Women

18.1 Planning

- *The Prison Service has a strategic plan for women in custody.*

18.2 Staff and training

- *Staff working with women in custody are carefully selected and have completed gender-specific training.*

18.3 Reception, admission and orientation

- *Women are safe and treated with respect during reception and admission.*
- *Women receive immediate help, support and information in relation to their children and dependants.*
- *Women receive comprehensive, gender-specific health screening on reception. It includes a focus on trauma and abuse.*
- *Orientation processes are gender-specific and culturally appropriate.*

18.4 Placement and accommodation

- *Women are held in conditions that are suitable for women*
- *Women are held under the least restrictive regime for their assessed risks.*

18.5 Regime

- *The regime is purposeful, respectful and gender responsive*

18.6 Living conditions and hygiene

- *Living conditions are dignified, clean and hygienic.*
- *Women maintain their own personal care and hygiene.*

18.7 Clothing

- *Women have clean, gender-appropriate clothing that is dignified and in good condition.*

18.8 Family and community contact

- *The prison helps women to develop and maintain family and community contact.*

18.9 Incentives, privileges and gratuities

- *Women have equal access to incentives, privileges and gratuities.*

18.10 Women at risk of self-harm

- *Responses to risks of self-harm and suicide are gender-specific, culturally appropriate and individualised.*

18.11 Health care

- *Women's health services are delivered in a safe, respectful and dignified environment.*
- *Health services are holistic.*



- *Preventative health care is available.*
- *Women's mental health needs are identified, treated and supported by services equal to those in the community.*

18.12 Substance use and comorbidity

- *Women receive gender-specific substance use treatment and support*
- *Women with histories of comorbidity receive coordinated multidisciplinary support.*

18.13 Classification, sentence administration and case management

- *Sentence administration and case management systems are based on women's risks and needs.*

18.14 Offender programs

- *Women can access gender-specific, culturally appropriate programs to address their offending behaviour.*

18.15 Education and employment

- *Education and employment opportunities for women are diverse, of interest, and increase the likelihood of successful reintegration.*

18.16 Preparation for release

- *Women in custody are prepared for release.*

18.17 Security and behaviour management

- *Search practices maintain the dignity of women in custody, resident children and child visitors.*
- *Punishment and disciplinary procedures for women are fair, reasonable and gender responsive. They do not unduly impact on their children.*
- *Use of force and restraint practices are respectful and gender responsive.*

18.18 Pregnancy, birth and postnatal support

- *Pregnant women receive care that is equal to care in the community.*
- *The prison responds promptly and appropriately to emergencies involving pregnant women.*
- *Women in custody give birth in hospital.*
- *Postnatal women are well-supported and treated with dignity and respect.*

18.19 Children

Child wellbeing

- *Where it is in the best interests of the child, women can access programs and support to develop and maintain relationships with a child, including a child for whom they are the recognised primary carer.*



Resident children

- *The resident children program operates on comprehensive, fair, equitable and inclusive criteria.*
- *Resident children are safe, and mothers are empowered.*

Health care for resident children

- *Resident children have community-standard health care.*

Removing a child from prison

- *Mothers are well supported when their children are removed from the prison.*

Topic 19: LGBTIQA+ people

19.1 Planning

- *The Prison Service has a strategic plan for LGBTIQA+ people in custody.*

19.2 Staff training

- *Staff know and apply principles of equality and non-discrimination relating to sexual orientation, sex characteristics and gender identity.*

19.3 Gender identification

- *People are addressed and referred to in the gender with which they identify.*

19.4 Bullying, violence and abuse

- *All people in custody are safe from violence or abuse, regardless of sexual orientation, sex characteristics or gender identity.*
- *People in intimate relationships are protected from partner abuse.*

19.5 Placement and accommodation

- *Placement decisions are based on a comprehensive consideration of the person's safety and wellbeing.*
- *People are held in a prison, or part of a prison, that is consistent with their gender identity and offers the least restrictive regime for their needs and risks.*

19.6 Property, clothing and appearance

- *Transgender and gender diverse people in custody can access personal effects to maintain their gender identity and appearance.*

19.7 Health and support

- *LGBTIQA+ people in custody have access to health care that meets their needs and is equivalent to community standards.*
- *LGBTIQA+ people in custody can access support services.*



19.8 Searches

- *Search procedures maintain the inherent dignity of LGBTIQ+ people in custody.*

19.9 Transport

- *Transport arrangements for LGBTIQ+ people ensure safety, security and dignified treatment*

19.10 Rehabilitation and reintegration

- *LGBTIQ+ people in custody have equal access to rehabilitative and reintegration opportunities.*

Topic 20: People with disability

20.1 Planning

- *The Prison Service has a strategic plan for people with disability*

20.2 Staff training

- *Staff are adequately trained to manage and assist people with disability.*

20.3 Screening

- *People are systematically screened for disability on admission.*

20.4 Information sharing

- *Information relevant to the person's management is shared with relevant staff.*

20.5 Guardianship

- *People under legal guardianship are appropriately represented and supported.*

20.6 Requests and complaints

- *People with disability can access advocacy services.*

20.7 Dignity, respect and safety

- *People with disability are treated with dignity and respect.*
- *People with disability feel safe from bullying, victimisation and violence.*

20.8 Placement and accommodation

- *Accommodation is suitable, decent and safe.*

20.9 Daily life

- *People with disability have a meaningful and purposeful regime.*

20.10 Employment, education and programs

- *People with disability have equal access to employment, education and training.*



20.11 Rehabilitation programs

- *People with disability have timely access to treatment programs that meet their needs.*

20.12 Health care

- *The prison meets the health care needs of people with disability.*

20.13 Support

- *People with disability receive comprehensive individualised support.*

20.14 Searches

- *People in custody with disability are treated with dignity and respect during searches. When appropriate, alternatives are used.*

20.15 Use of force and restraints

- *Force and restraints are only used as a last resort on people in custody with disability. When used, the person is treated with respect and dignity.*

20.16 Disciplinary procedures and punishment

- *Disciplinary processes and punishment take full account of a person's impairment.*
- *Restrictive practices are used only as a last resort for people with disability.*

20.17 Transport

- *Transport arrangements for people with disability are safe and secure.*
- *People with disability have an equal opportunity to attend court, medical appointments and other out of prison activities.*

20.18 Preparation for release

- *People with disability are adequately prepared with any reasonable and necessary supports in place prior to their release.*

Topic 21: Foreign nationals

- *Foreign national people in custody are supported to cope with life in prison, and to maintain connection with their family and community of interest.*



Part Three: Planning, Human Resources, Governance and Sustainability

Topic 22: Planning, governance and human resources

22.1 Planning

- *The Department has a strategic plan for corrections.*
- *Each prison has an operational plan, including philosophy, guiding principles and projected outcomes.*
- *Planning is financially robust, responsible and responsive.*

22.2 Standard operating procedures

- *Standard operating procedures are clear, consistent, and comply with legislation and international standards*

22.3 Communication

- *There are robust and effective processes for communication.*

22.4 Human resources and staff management

- *Onsite staffing levels are sufficient for the prison to manage people in custody safely, securely and respectfully, and to deliver all relevant programs and services*
- *Staff have the necessary knowledge, skills and authorisations. They are trained to the highest standards of professionalism, competence, integrity and honesty.*
- *The staff profile is diverse. As far as possible, it reflects the profile of people in custody.*
- *Staff have the necessary support.*
- *Appointments, promotions and access to other opportunities and benefits are governed by effective, transparent and fair processes.*
- *Processes relating to pay, leave and leave management are accurate, fair and effective.*

22.5 Staff grievances

- *Staff have appropriate and effective ways to express and resolve work-related grievances.*

22.6 Bullying, corruption and misconduct

- *There are robust and effective processes to tackle bullying.*
- *There are robust and effective processes to tackle corruption and misconduct.*

22.7 Records management

- *The Department and the prison keep comprehensive and accurate records for people in custody.*



Topic 23: Environmental sustainability and community relations

23.1 Environmental sustainability

- *The Department is committed to environmental sustainability.*
- *The prison implements effective environmental sustainability practices.*

23.2 Community relations

- *A wide range of community-based service providers are involved with the prison.*
- *The community knows about and has input into prisons, staff and their work.*



Part One:

Expectations for all people in custody



Topic 1: Core expectations and principles

The phrase ‘people in custody’ refers to all people held in Tasmanian prison facilities and transport vehicles. It includes people who are on remand, sentenced, or appealing against conviction or sentence.

People in custody are generally adults. However, on occasion, young people under the age of 18 are held in adult custodial facilities.

These expectations cover places and services run by the Tasmania Prison Service and by other custodial service providers and contractors, including Correctional Primary Health Services.

The following expectations underpin all those that follow:³

- 1.1** All people in custody are treated with respect for their inherent dignity and value as human beings.
- 1.2** People are protected from, and not subject to, any cruel, inhuman, or degrading treatment or punishment.
- 1.3** Prison operations, procedures and activities reflect the fact that people are sent to prison as punishment, not for punishment.
- 1.4** Every person in prison is safe and secure. This includes people in custody, staff, service providers and visitors.
- 1.5** The prison promotes personal responsibility, self-respect, and self-dignity, minimising the differences between life in custody and life at liberty.
- 1.6** Prison operations, procedures and activities are age, gender and culturally appropriate.
- 1.7** People in custody are not discriminated against on any grounds, including race, colour, gender, gender identity, intersex status, sexuality, disability, language, religion, political opinion, national or social origin, property, birth, or any other status.
- 1.8** People’s individual needs are catered for, particularly those who are more vulnerable, more at risk, or have additional mental and physical health needs.

³ NMR 1, 2, 3, 4, 5, 34
GPCA 2.1.1



- 1.9** People can access appropriate rehabilitation and reintegration activities, programs and services to support their release.
- 1.10** People working with those in custody have the right attitudes and are appropriately trained.
- 1.11** Effective organisational leadership is backed by good onsite management.
- 1.12** Record keeping is accurate, detailed, transparent and accountable.



Topic 2: Early days in custody

2.1 Transfer into Prison Service Custody

Expectations	Indicators
Expectation 2.1.1 There is an effective and respectful handover of the person between police or other service providers and the Tasmania Prison Service	• People are only admitted to prison with valid documentation. Clear records are kept. • The person is treated with respect. • The process is conducted expeditiously. • The party handing over the person passes all relevant information to the Prison Service, including any indications of health or self-harm risks.

2.2 Reception and admission⁴

Expectations	Indicators
Expectation 2.2.1 People feel safe and are treated with decency and respect. Their needs and risks are identified and supported.	• Infrastructure is clean, hygienic and fit for purpose. • Staff provide a welcoming and supportive environment. • Newly arrived people's needs and risks are promptly assessed, especially risks of suicide, self-harm and harm from others. • The prison checks for outstanding fines or warrants and advises the person. • Interviews are conducted in a way that safeguards privacy. • Relevant information - and only relevant information - is passed on to unit staff. • People are informed of their rights and responsibilities in a language and format they understand, using accredited interpreters if required. • People receive basic supplies and can shower on their first night.

⁴ NMR 7,54, 55, 62, 68
GPCA 1.2.2, 2.2.3
EPR 15.1,15.3, 16(d), 19.2, 24.8, 24.9, 37.1



	• New people in custody are separated from the general population. • Staff carry out regular welfare checks. • Staff are appropriately trained to manage people who are anxious, distressed or uncooperative.
Expectation 2.2.2 Newly admitted people can promptly inform family or other key contact persons and legal services of their detention, and access services to help with family, domestic, social and financial matters.	• People can immediately inform their family or other key contact persons of their imprisonment. Free telephone calls are given. • If contact cannot be made, repeated efforts are made until notification is successful. • The Tasmanian Aboriginal Legal Service (TALS) is informed as soon as Aboriginal people are received into prison. • Additional support is provided to people who have no external support. If required, consular support is obtained. • People can promptly access services for their children, dependants and pets, and to deal with housing, financial or work-related issues.

2.3 Physical and mental health screening⁵

Expectations	Indicators
Expectation 2.3.1 During reception, people are screened to assess their physical and mental health. If problems are identified, appropriate measures are implemented.	• Health screening is conducted by staff with appropriate physical and mental health qualifications. • People are offered an appointment with a general practitioner within 28 days of coming into custody. • Urgent health needs are prioritised. • People taking essential medication are treated in a way that ensures continuity of treatment. • Staff are informed of people's health risks in a way that safeguards patient confidentiality. • Interpreters are used as necessary.

⁵ NMR 30, 80.2
GPCA 2.2.4, 2.3.3, 2.3.7
EPR 15.1(e), 15.1(f), 16(a), 38.3, 42.1



	• People are informed of the results of screening, including detection of any illness or medical condition. • People who cannot be screened during reception are kept safe until their health status is known. • People know how to make future medical appointments.
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2.4 Orientation⁶

Expectations	Indicators
Expectation 2.4.1 Prompt and supportive orientation processes ensure that people understand life in prison, including their rights and responsibilities. Literacy and numeracy skills of people are assessed.	• People promptly receive comprehensive information about prison rules, regime and services. • Up-to-date orientation information is prominently displayed and accessible. • Information is available in a language and format that prisoners can understand. • Staff are respectful to people in custody and engage with them to ensure they settle in safely. • People understand their obligations and the consequences of non-compliance. • People know how to access support, including counselling, peer support and visiting agencies. • People know how to contact family and friends, and know that personal mail and telephone calls are monitored. • People are assessed for literacy, numeracy and digital literacy skills. • People know how to access internal and external complaints mechanisms, and know their right to communicate confidentially with official visitors, the Custodial Inspector, the Ombudsman, the Integrity Commission, the Health Complaints Commissioner, the Anti-Discrimination Commissioner and the Commissioner for Children and Young People.

⁶ NMR 54, 55
GPCA 2.2.1
EPR 15.2, 30



Topic 3: Contact with the outside world⁷

3.1 Family and friends

Expectations	Indicators
Expectation 3.1.1 People can maintain and develop relationships with family, friends and community.	• Contact between people and their family and friends is encouraged and facilitated. • Contact is only restricted by risk assessments. Restrictions are proportionate to the risk. • The prison makes use of modern technologies to promote contact. • People are encouraged to have visits with their children, unless this is not in the child's best interests.
Expectation 3.1.2 Visiting arrangements are timely, respectful and flexible.	• People who are sentenced are allowed a minimum of one visit per week. • People on remand can receive visits every day, if this does not unfairly affect the visits of others. • The prison ensures that visits start and finish on time. • Visitor searches are conducted respectfully. • Searches of people in custody and security arrangements are respectful and proportionate. • The prison allows flexible visiting arrangements in cases of need, such as additional or extended visits at times of family bereavement, and for visitors from interstate or overseas. • People in custody and visitors are informed in advance if a visit is cancelled.
Expectation 3.1.3 There is an efficient visit booking system and a welcoming, child-friendly visitors' centre.	• The visit booking system is simple, accessible and efficient. • There is information on transport services, visiting hours and what visitors can expect. • There are arrangements to help visitors to get to and from the prison if public transport is not viable.

⁷ NMR 58.1, 60, 63, 70, 80.2, 106

GPCA 2.1.10, 2.3.7, 2.3.15, 3.1.10, 3.2.7, 5.1.4, 5.2.2

BR 28

EPR 24.1-7, 24.10, 38.3



	• Visitor parking and access arrangements are appropriate, especially for visitors with children or disability. • Family support services are available before and after visits. • Amenities are welcoming and child-friendly. • Visitors can leave property in lockers.
Expectation 3.1.4 People in custody receive contact visits unless significant security or safety risks require non-contact visits.	• People generally receive contact visits. • Non-contact visits are only authorised if intelligence shows a significant safety or security risk. • Use of non-contact visits is reviewed regularly. • People in custody are informed if their visit is changed to non-contact. • Non-contact visit booths are not unduly harsh and meet demand.
Expectation 3.1.5 Visit facilities are comfortable, prosocial and safe.	• The visits area is not stark or sterile. • There are comfortable tables and seats. • There is adequate disability access. • There are clean and hygienic handwashing facilities. • There is a suitable area to feed and change young children. • Clean play facilities, equipment and toys are available for children, and for child/parent interaction. • Visitors and people in custody can access refreshments. • Security arrangements do not unduly encroach on privacy, and restrictions on physical contact are not excessive.
Expectation 3.1.6 The prison arranges e-visits, phone calls, mail and email contact.	• There are electronic options to maintain family contact, including secure e-visit and email systems. • People know their entitlements. • There are enough phones and e-visit facilities, and they are reasonably private. • Costs are kept to a minimum.



	• People can send as many letters as they can afford. There are no restrictions on how many they receive. • Outgoing mail is sent within 24 hours. Incoming mail is received by the prisoner within 24 hours of arrival. • People can access phone numbers of outside organisations. • People can access a phone interpreter service. • People who are unlikely to get regular visits due to distance receive extra calls and/or allowances.
Expectation 3.1.7 Security measures prevent the inappropriate use of phone, mail, e-visit, and email systems, but do not unduly interfere with privacy.	• Recipients of communication from people in custody approve of the contact. • People in custody know their mail and phone calls can be security checked and recorded. • Mail is only opened to check for unauthorised enclosures. Valid reasons must exist to read mail. • Staff observe confidentiality.

3.2 Visits between people in custody

Expectations	Indicators
Expectation 3.2.1 The prison facilitates visits between family members when both parties are in custody. Family includes intimate partners, children and siblings. Family also recognises the special kinship ties of Aboriginal people.	• The prison facilitates visits between people in different prisons, and visits between people in prison and youth detention.



3.3 Visiting sick relatives and attending funerals

Expectations	Indicators
Expectations 3.3.1 People can visit sick relatives and attend the funeral of a family member, subject to risk assessments.	• The prison advises people promptly about the death or serious illness of a family member, provides support, and monitors the person's wellbeing. • Subject to the necessary approvals, people can visit sick relatives and can attend funerals, burials, and other occasions of special family significance. • Approval processes recognise the special kinship and family obligations of Aboriginal people. The prison seeks advice from relevant community members, as required. • Escorting staff are trained, sensitive and culturally aware. Any necessary restraint use is as discreet as possible. • Where attendance is not possible, the prison provides appropriate internal supports to assist with grieving.

3.4 Knowing what's happening in the world

Expectations	Indicators
Expectation 3.4.1 People can keep up to date with news and current events.	• People can access information about news and current events through various mediums.



Topic 4: Resolving legal issues, requests and complaints

4.1 Access to lawyers and legal resources⁸

Expectations	Indicators
Expectation 4.1.1 People have confidential access to legal representatives.	• People are assisted to communicate with a legal representative of their choosing. • People are given help to find a legal representative if they do not have one. • Contact can be face-to-face, by telephone, mail, or by audio-visual link. • People can consult their legal representatives as often as required. • Facilities are available for legal representatives to review digital evidence with their clients, such as police records of interview and CCTV footage. • Contact with legal representatives is legally privileged and confidential.
Expectation 4.1.2 People have access to legal resources.	• The library provides ready access to legislation, regulations, rules, and policy documents relating to the management, rights, and entitlements of prisoners. • People can access up-to-date Australian legislation and case law electronically and/or in hard copy. • People can access other legal resources relevant to their case. • Staff help people in custody to access legal resources.

⁸ NMR 19.3, 20, 61, 119.2, 120
GPCA 2.3.5
EPR 20.4, 23.1, 23.2, 23.4, 23.6, 70.7



4.2 Court appearances

Expectations	Indicators
Expectation 4.2.1 People are helped to prepare for court and tribunal hearings.	• People who have unresolved legal matters (including criminal law, family law or business-related issues) have adequate time and facilities to prepare their case. • A computer and printer are available to prepare legal correspondence and documents. • People on remand can wear their own clean and pressed clothing when appearing before a court or tribunal. • The prison maximises the use of video-links without impinging on a person's right to appear in person.

4.3 Requests and complaints⁹

Expectations	Indicators
Expectation 4.3.1 Every prison has an advisory group, made up of people in custody, which meets with management.	• Every prison has an advisory group which reflects the demographics of the population of the prison. • The purpose of this group is for people in custody to raise issues of general concern with prison management, not to pursue individual grievances. Examples include food, clothing, bedding, health services and access to recreation and employment. • Management provides feedback on the matters raised and reasons for their decisions.
Expectation 4.3.2 Internal request and complaint procedures are understood, timely and effective.	• People in custody, including people with low-level literacy or cultural barriers, know how to make requests and complaints. They can access information in a language and format they understand. • If required, people receive help to make requests and complaints. • Staff and people in custody try to resolve issues at the lowest level, before making a written request or complaint. • Requests and complaints can be lodged confidentially.

⁹ NMR 8(d), 80.2, 56.1, 56.3, 56.4, 57
GPCA 1.3.1, 1.3.2, 1.3.3, 2.3.7



	• Complaints are investigated promptly and fairly. • Responses are thorough, address the issues raised, and are easy to understand. • All complaints are accurately recorded, including those resolved at the lowest level. • People know how to appeal decisions internally and through an independent authority.
Expectation 4.3.3 People can make requests and lodge complaints without being victimised.	• People are not victimised or disadvantaged for making complaints. • People are not prevented from using complaints procedures or encouraged to withdraw complaints. • Complaints about staff are investigated by an appropriately senior and independent person.
Expectation 4.3.4 People have confidential access to relevant external organisations.	• People can lodge complaints or concerns with recognised external organisations, including the Ombudsman, the Health Complaints Commissioner, the Custodial Inspector, the Integrity Commission, the Anti-Discrimination Commissioner and the Commissioner for Children and Young People. • The prison provides distinctly marked envelopes and special post boxes for people to send confidential mail to these organisations. The envelopes and boxes are not kept or monitored by staff. • Confidential mail is collected and forwarded without unnecessary delay. • People can also contact recognised external organisations by secure and confidential phone lines.
Expectation 4.3.5 The Prison Service promptly and fully addresses the issues raised by external organisations.	• The Prison Service responds promptly to external authorities' investigations and recommendations. • The responses fully address the issues raised and, when necessary, outline remedial measures and timelines for implementation.



Topic 5: Conditions, clothing, bedding and food

5.1 Infrastructure¹⁰

Expectations	Indicators
Expectation 5.1.1 The physical environment is well designed and fit for purpose.	• The infrastructure is appropriately designed and constructed. • The built environment is not harsh or oppressive. • There is good line of sight. • Climatic controls guard against extreme temperatures, especially in living areas. • Areas used for industry and training have adequate ventilation. • There are appropriate storage areas for chemicals and other hazardous items.
Expectation 5.1.2 Infrastructure is well maintained and safe.	• Maintenance is proactive as well as reactive. • Hazards are dealt with promptly. • Equipment is properly stored, maintained and cleaned.
Expectation 5.1.3 Cell sizes comply with the Standard Guidelines for Prison Facilities in Australia and New Zealand 1990.	• Cells meet or exceed the standards set out in the Standard Guidelines for Prison Facilities in Australia and New Zealand 1990.¹¹

¹⁰ NMR 13, 14, 15, 16, 17, 18

GPCA 1.1.7, 2.1.2, 2.1.4, 3.2.2, 4.1.7, 4.2.6

EPR 18.1, 18.2, 19, 51.1

¹¹https://www.ics.act.gov.au/_data/assets/pdf_file/0012/1311123/standard_guidelines_prison_facilities_1990s_mall.pdf. See also Office of the Inspector of Custodial Services Western Australia, *Western Australia's Prison Capacity* (2016): <https://www.oics.wa.gov.au/wp-content/uploads/2016/12/Prison-Capacity-Review-Final.pdf>



5.2 Environmental health and hygiene

Expectations	Indicators
Expectation 5.2.1 The physical environment is safe, clean and meets public health standards.	• The infrastructure complies with environmental health regulations. • People live, work and eat in a hygienic environment that is properly maintained and cleaned. • Good quality drinking water is available. • Food safety standards are met. • The prison has robust infection prevention and control measures.¹² • Smoking is prohibited.
Expectation 5.2.2 People are encouraged to keep themselves, their cells and communal areas clean.	• The daily cleaning regime maintains proper standards of hygiene. • Bathrooms and toilet facilities are accessible, clean and safe. • People receive basic hygiene and toiletry products, including sanitary items, for personal use. • People can shower or wash in private every day, except in exceptional circumstances. • People can access cleaning materials to keep their cells and communal areas clean.

5.3 Clothing and bedding¹³

Expectations	Indicators
Expectation 5.3.1 People have decent quality, clean clothing that is suitable for the climate and their needs.	• Prison issued clothing is in good repair and suitable for the climate. • Clothing fits properly and maintains dignity. • People have sufficient items for general use, work and recreation.

¹² See also Expectations 10.1 and 10.2.

¹³ NMR 19, 20, 21
 GPCA 2.1.2, 4.2.4
 EPR 19.7, 20.1-3, 21



	• Cultural and religious items of clothing are available unless there are strong reasons to the contrary. • People have access to laundry facilities sufficient for a daily change of clean clothes. • People receive new underwear on arrival in prison. • People's laundry is safeguarded from malicious tampering.
Expectation 5.3.2 People can wear non-prison clothing when attending court and on release.	• People can wear their own clothes when attending court in person or by video-link. • People's personal clothing stored at the prison is clean and well-presented when worn. • Family and friends can supply clothing for the person in custody to attend court or for release. • The prison provides non-prison clothing for people who do not have access to their own clothes.
Expectation 5.3.3 People have a bed and clean bedding.	• Every person has a bed. • Bunk beds are not used as a matter of routine practice. • If bunk beds are used, there is adequate space and ventilation, and safe access to the top bunk. • Clean bedding is provided on arrival for each new person in custody. • Bedding is in good repair and suitable to the climate. • Bedding is laundered weekly. • Mattresses and pillows are clean and provide adequate comfort and support. • Mattresses, pillows and bedding are durable and non-flammable. • Mattresses, pillows and bedding are replaced when worn or damaged.



5.4 Food and nutrition¹⁴

Expectations	Indicators
Expectation 5.4.1 There is a varied, healthy diet. Meals meet medical, religious, cultural, and dietary needs and preferences.	• Clean drinking water is available in the prison and for people in transit or working outside the prison. • Menus are designed with advice from dietitians and nutritionists. • Fresh produce is used as much as possible. • Menus reflect climate and prisoner work requirements. • People can choose between food options. • The prison caters for medical diets. • Vegan and vegetarian lifestyle choices are catered for. • Religious and cultural requirements are observed. • People who miss normal mealtimes for reasons such as court appearances or offsite medical appointments receive meals at other times. • Meals prepared by people in self-care units meet nutritional standards.
Expectation 5.4.2 Food preparation, storage and serving practices meet hygiene and safety standards.	• People in custody and staff who work with food are trained, health-screened, and wear appropriate clothing. • Staff supervise the serving of food to prevent tampering and bullying, and to ensure portion control. • People eat with others in communal areas, wherever possible. • Areas where food or drinks are prepared or consumed meet hygiene and food safety standards. • The prison ensures that there are regular external food safety inspections.

¹⁴ NMR 22
 GPCA 4.2.1, 4.2.2, 4.2.3
 EPR 22.1, 22.3, 22.5



Topic 6: Daily Life

6.1 General regime¹⁵

Expectations	Indicators
Expectation 6.1.1 The prison regime is purposeful and respectful and takes account of the diversity of the prison population.	• The prison has a balanced regime that meets the varied skills, capacities, needs and interests of all people in custody. • The regime minimises the difference between life in prison and life in the community. • It maximises time out of cell. • It empowers people to make positive choices and to be actively involved in purposeful activities.

6.2 Education and training¹⁶

Expectations	Indicators
Expectation 6.2.1 The prison delivers life skills courses.	• The prison offers life skills courses that are of practical value, including healthy lifestyles, budgeting, debt management, and legal rights and responsibilities. • Access is equitable and delivery is gender responsive and culturally appropriate. • There are enough courses to meet demand.
Expectation 6.2.2 People's learning abilities, needs and wants are assessed, including literacy, numeracy and digital literacy.	• People's learning abilities, needs and wants are assessed soon after they arrive in prison. • Follow-up assessments are conducted at reasonable intervals. • Assessments include literacy, numeracy and digital literacy. • People in custody actively participate in the assessment process.

¹⁵ NMR 3, 5.1, 11

GPCA 2.1.1, 2.1.3, 2.1.4, 3.1.1, 3.3.4

EPR 5, 18.8, 25, 49, 52.3, 102, 104.1

¹⁶ NMR 4.2, 78, 87, 89, 92.1, 98.2, 98.3, 104

GPCA 5.1.6, 5.1.11, 5.1.12, 5.2.1

EPR 28.1, 28.2, 28.7(a), 89.1, 106



	• They are informed of assessment outcomes and of the opportunities available to them.
Expectation 6.2.3 The prison provides a broad range of education and training opportunities relevant to people's needs and interests and market need.	• All people in custody are encouraged to participate in education and vocational training, including those on remand. • People with low levels of literacy and/or numeracy can access education soon after they arrive in prison. • Digital literacy is prioritised. • Education and training opportunities are gender responsive and culturally appropriate. • Education and training opportunities reflect personal interest and employability. • Wherever possible, they lead to formal qualifications. • Courses include social, technical, professional, and higher education options. • Resources are customised to suit the learning needs and styles of people in custody. • There are enough staff, physical locations, equipment and resources to meet demand. • There is continuity when people move between prisons. • When possible, education is linked to community providers to allow continuity after release.

6.3 Employment¹⁷

Expectations	Indicators
Expectation 6.3.1 All people in custody can engage in purposeful work that increases their employability on release.	• All people who are sentenced work or undertake education or training. • People on remand are not required to work but do have access to meaningful work opportunities. • Work is constructive and enhances self-esteem and employability. It is not demeaning or pointless.

¹⁷ NMR 96, 97, 98, 99, 100, 101, 102, 104

GPCA 1.1.7, 3.3.10, 5.1.12, 5.1.13, 5.3.2, 5.3.3, 5.4.2, 5.4.3, 5.4.4

EPR 26, 105.2, 105.3



	• Employment opportunities are gender responsive and culturally appropriate. • Supervisors have appropriate qualifications, experience and expertise. • Work resembles work in the community and is of reasonable duration.
Expectation 6.3.2 Work for people in custody is safe.	• Employment for people in custody complies with Occupational Health and Safety Standards and with the National Code of Practice on Prison Industries and National Competition Policy. • All staff and people in custody have occupational health and safety training prior to, or early in, their employment. • People are insured against industrial injury and disease.
Expectation 6.3.3 Work for people in custody is not exploitative.	• Prison work is not undertaken for the private benefit of staff.
Expectation 6.3.4 The work of people in custody benefits the community and does not unduly affect local businesses.	• Prison-based industries and community work completed by people in custody does not unduly affect local business and employment. • Suitably assessed people participate in community work outside the prison. • Local communities and not-for-profit organisations benefit from the community work of people in custody.



6.4 Recreation and fresh air¹⁸

Expectations	Indicators
Expectation 6.4.1 All people in custody can spend at least two hours each day in the open air.	• All people in custody, including those who are subject to disciplinary sanctions or restrictive measures, can spend at least two hours per day recreating or relaxing in the open air. • The outdoor areas are of a suitable size for exercise, not oppressive, and allow people to see the sky and get fresh air. • Access times are regular and predictable. • People do not have to choose between access to the open air and other important activities.
Expectation 6.4.2 People have regular access to exercise and other recreational activities out of their cell and in cell.	• The range of activities reflects the health and fitness needs of the population. • People in need of protection have regular and equal access. • Recreational areas are fit for purpose, with adequate and safe equipment and shelter from the weather. • Outside exercise is only cancelled in severe conditions. • The prison encourages people to participate in physical education, fitness, team sports and games. • Recreation options are gender responsive and culturally appropriate. • Passive recreation options, such as art and music, are available. Equipment is in good repair. • People can acquire personal development, skills and training from recreational activities. • People who are approved can participate in structured recreational activities outside the prison.

¹⁸ NMR 4.2, 23, 64, 105,
GPCA 2.3.2, 2.3.6, 4.2.9, 5.3.2
EPR 27, 28.5



6.5 Library

Expectations	Indicators
Expectation 6.5.1 People have regular access to a well-resourced library.	• People can regularly access a library. • The library has a wide range of physical and secure electronic resources that meets the needs of people in custody. • Library resources are gender responsive and culturally appropriate. • The library encourages learning and social interaction in an informal and relaxed setting. • The library promotes literacy, numeracy and digital literacy. The resources support education and training. • People have electronic or hard copy access to up-to-date legal resources.¹⁹

6.6 People's property²⁰

Expectations	Indicators
Expectation 6.6.1 People's property is securely stored. They can access it on reasonable request.	• Subject to security and volume considerations, people can keep and receive property. • The prison has a list of allowed property that reflects the needs of the population. • All property is accurately recorded, and valuables are security marked. • People are compensated if possessions are lost or damaged in storage or in transit. • All property is returned to people on release or transfer. • Fair and effective processes regulate the nature and amount of personal property held in cells. • Removal of property from cells is explained to people and they can appeal against such decisions.

¹⁹ See also Expectation 4.2.

²⁰ NMR 67.1-3

GPCA 2.3.16

EPR 15.1(d), 31.1, 31.3, 31.7, 33.4



6.7 Incentives, gratuities and purchases²¹

Expectations	Indicators
Expectation 6.7.1 The incentive scheme is applied fairly, consistently and transparently.	• People understand the incentives and earned privileges available to them, how to obtain them, and the behaviours that may result in them being lost. • All people in custody have equal opportunities to obtain incentives and earned privileges. • Behaviour is reviewed regularly so people can demonstrate their progress. • People know how to appeal against decisions about privileges and sanctions. • Changes to incentives or earned privileges are clearly communicated.
Expectation 6.7.2 The gratuity system is fair, transparent, and based on engagement and skill levels.	• Gratuities are accurately recorded and credited on time. • Different gratuity levels are applied fairly, based on skill and workload. • People with disabilities and people from culturally diverse backgrounds have equal access. • People in education, training and programs are eligible for gratuities. • People are not unduly penalised if the prison does not offer enough work, education or programs. • People have easy access to accurate and up-to date records of their finances. • People are helped to budget and save money. • Visitors can deposit money into the accounts of people in custody.
Expectation 6.7.3 People can purchase a range of items that meet their diverse needs.	• People can buy approved items through the prison canteen system, placing orders at least once a week. • People recently received into custody without private money can access an advance, with repayment staged over time.

²¹ NMR 95, 103,
GPCA 2.3.11, 4.2.8.
EPR 26.10, 26.11, 26.12, 28.4, 31.5, 105.4, 105.5



	• The products meet the diverse needs of the population. • There is a wide range of approved hobby materials. • Prices are broadly equal to those in the community. • The prison consults with people in custody about the range of goods available for purchase. • People are not bullied or intimidated and do not have their purchases stolen.
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6.8 Getting support²²

Expectations	Indicators
Expectation 6.8.1 There is an active and structured peer support program.	• All people in custody have access to a peer support program. • The peer support group reflects the age and cultural diversity of the prison population. • The peer group has access to prison management to raise concerns and issues. • Peer supporters are provided with incentives and gratuities for their work. • Peer supporters are used effectively in reception, orientation, and during first night arrangements. • Peer supporters are appropriately trained, including in self-harm and suicide prevention.
Expectation 6.8.2 The prison provides a range of supports internally, and from external service providers.	• A range of paid staff and people from external organisations provide support services to people in custody. • Everyone in custody has access to such services. • Services are designed to meet the needs of different groups of people. • As recommended by the Royal Commission into Aboriginal Deaths in Custody, the prison has Aboriginal Prison Visitors who provide spiritual support and link Aboriginal people in custody with their communities.

²² GPCA 5.4.4
EPR 50



6.9 Religious and spiritual freedom²³

Expectations	Indicators
Expectation 6.9.1 Freedom of religion is respected and facilitated. People of no faith can also access spiritual support.	• The prison has a tolerant approach to religious and spiritual diversity. • People can practice their beliefs fully and in safety. • People of faith have access to worship and faith-based groups, and pastoral visits. • People of no faith can also access spiritual support. • There are dedicated facilities for quiet reflection. • Religious service times are advertised. Times do not clash with key regime activities. • Staff supervision is respectful and proportionate. • The prison provides food which respects people's religious dietary requirements. • Subject to risk, people can obtain, and use, publications, artefacts and clothing of religious significance.
Expectation 6.9.2 Chaplaincy services provide support to all people in custody, irrespective of faith.	• People of faith and of no faith have equal access to chaplains. • Chaplaincy teams establish and maintain links with faith communities outside the prison. • Chaplains offer help to all people who have experienced bereavement or loss. • When a person is near to death or has died, chaplains offer support to the person, relatives, other people in custody, and staff. • Chaplains identify and challenge extremist ideologies that purport to be based on religious belief. • Chaplains help people to pursue their faith and spirituality on release.

²³ NMR 65, 66
GPCA 2.1.6
EPR 29.1, 29.2, 38.2



Topic 7: Rehabilitation and reintegration

7.1 Classification, sentence administration and case management²⁴

Expectations	Indicators
Expectation 7.1.1 People are held in custody and released in accordance with the law.	• People are only received into custody and released from custody with valid documentation. • Release dates and parole eligibility dates are accurately calculated. • People are never held beyond their date of release, unless they request in writing to remain in prison overnight for travel or other compassionate reasons. • People facing immigration removal or deportation are only held after their release date if there is valid Commonwealth authorisation for their continued detention.
Expectation 7.1.2 People understand the details of their custody.	• People are told of the reason for their custody in a language and format they understand. • People know their key sentence dates, including potential parole and release dates. • People are informed of any court appearances. • The prison reconfirms all dates with the person at least every six months and informs them of any updates.
Expectation 7.1.3 Assessment and classification systems are based on individual risk and need.	• Assessment and classification reflect the risks and needs of the individual. • Staff conducting assessments are adequately trained. • The system is accurate, timely and transparent. • It has graduated levels of security, privileges, opportunities and freedoms. • People are held under the least restrictive regime and lowest security rating that the assessment dictates. • Security classifications are reviewed at least every six months.

²⁴ NMR 7, 8(a-c), 59, 89.1, 92, 93, 94, 119.1

GPCA 1.1.1, 1.1.2, 1.1.3, 1.1.4, 2.1.3, 2.1.8, 2.1.9, 3.3.1, 3.3.2, 5.1.1, 5.1.2, 5.1.3, 5.1.5, 5.3.1

EPR 14, 15, 16(b), 16(c), 17, 18.10, 30.3, 33.1, 51, 52, 103, 104



	• People know the outcome of their assessment and classification, and any reviews. • Assessment tools are objective, reflective of gender and culture, and evidence-based. • Assessment tools are regularly reviewed for validity and updated as required. • Professional override is used appropriately and accountably.
Expectation 7.1.4 Case management plans meet people's needs and risks.	• All people who are sentenced or remanded for six months or more have a case management plan. • Case management plans are developed promptly. • The plans provide a pathway to release. • People in custody actively participate in developing their plan and in regular progress reviews. • The plans contain measurable and achievable short and long-term goals and identify program needs. • There is effective coordination between prisons and community corrections.
Expectation 7.1.5 People are supported to achieve the goals of their case management plan.	• The prison delivers purposeful activities and criminogenic programs to prepare people for release and to reduce their risks of reoffending. • Staff motivate and support people to engage in such activities and programs.
Expectation 7.1.6 Information is shared with relevant authorities and stakeholders.	• Up-to-date, impartial and relevant information is shared with courts, releasing authorities, community corrections and other relevant parties.



7.2 Offending programs²⁵

Expectations	Indicators
Expectation 7.2.1 People have equal access to a range of programs to address offending behaviour.	• People are encouraged to take responsibility for their own rehabilitation. • They can access criminogenic interventions, psycho-educational and cognitive skills courses, and self-help programs. • Access is equitable. Programs are gender sensitive and culturally appropriate. • Sufficient programs are available. • Program facilitators are trained. • Facilitators use modes of delivery that are appropriate for the people undertaking the program, including people with learning difficulties.
Expectation 7.2.2 Programs are evidence-based, evaluated and subject to effective governance.	• Programs are based on best practice. • People in custody access programs according to the principles of need, responsivity and intensity. • Interventions are adapted for delivery to people with diverse gender, cultural and responsivity needs. • Programs have been evaluated for their effectiveness for Australian offenders.
Expectation 7.2.3 Programs are delivered on time.	• Programs are scheduled and delivered in accordance with case management plans. • Programs that the Parole Board considers relevant to its decisions are completed in time for the Board to be able to consider program completion reports.
Expectation 7.2.4 Prison-based treatment programs link with community-based programs.	• Community corrections delivers programs that complement or supplement prison-based programs. • The prison has links with other community-based services to provide ongoing treatment and support.

²⁵ NMR 87, 88, 91

GPCA 1.1.4, 1.5.3, 5.1.6, 5.1.7, 5.1.8, 5.1.9, 5.3.2

EPR 16(e), 18.8(b)



7.3 Preparation for release²⁶

Expectations	Indicators
Expectation 7.3.1 People are prepared for release.	• When relevant, community corrections are involved in developing release plans. • People being released on parole understand their parole conditions, rights and responsibilities. • They receive practical services to assist their return to the community, including: ○ financial management advice; ○ housing assistance; ○ employment assistance; ○ life skills; and ○ sexual health. • They have an up-to-date plan for addressing outstanding rehabilitation needs, including access to post-release treatment services
Expectation 7.3.2 People nearing release are placed in minimum-security facilities unless they pose too high a risk.	• Minimum-security facilities are widely available. • People who are rated as minimum security but cannot access a minimum-security prison can undertake out of prison activities, subject to risk assessments and security requirements. • Suitably assessed people can have home leave. • Minimum-security prisons provide skills and knowledge relevant to release.
Expectation 7.3.3 On the day of release, people receive all necessary practical support and information.	• People in custody have valid up-to-date identity documents. • All documents, identification papers, money, clothing and other property are returned to people. • People who do not have their own clothes are given clean, decent clothing fit to wear in the community, including a change of clothes. • People have accommodation upon release.

²⁶ NMR 67.2, 87, 88, 89.2, 90, 106, 107, 108
 GPCA 5.2.1, 5.2.3, 5.2.4, 5.2.6, 5.3.3, 5.3.4
 EPR 6, 33.3, 33.4, 33.7, 33.8, 107



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| | <ul style="list-style-type: none">• The prison ensures that people have the means to safely reach their accommodation.• People can make a phone call and charge their mobile phone prior to release.• People who need additional support are met at the gate and taken to their initial appointments.• On release, all people receive a summary of their health status and referral to a community health care provider of their choice, including Aboriginal Health Services. |
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Topic 8: Health

This section provides the expectations for people in custody in relation to physical health, mental health and substance misuse. Other sections deal with issues relating to people who have experienced trauma²⁷ and people at risk of self-harm,²⁸ women and their resident children,²⁹ people with disabilities,³⁰ and pandemics and infectious diseases.³¹

8.1 Physical health care³²

Expectations	Indicators
Expectation 8.1.1 People have equal access to health care, which is independent of the prison service, in an environment of dignity and privacy.	• Access is equal. No person is disadvantaged or receives preferential treatment. • People can access information about services and processes in a language and format they understand. • People in custody are treated as patients - with dignity, respect, compassion and sensitivity. • Prison service staff understand and respect the independence of health services. • Health staff feel able to advocate on behalf of their patients without fear of reprisal.
Expectation 8.1.2 People are supported and encouraged to optimise their health and wellbeing.	• The prison delivers general and individual health education programs. • These programs are non-judgmental, gender sensitive and culturally appropriate. • People can access health checks, disease prevention and screening programs, sexual health services, smoking cessation, addictions support and counselling, and other health-related programs.

²⁷ See Expectation 9.1.

²⁸ See Expectations 9.2-9.7.

²⁹ See Expectations 18.16-18.21 and 18.29-18.36.

³⁰ See Expectations 20.1-20.21

³¹ See Expectations 10.1-10.2.

³² NMR 24, 25, 26, 27, 30, 31, 32, 33, 35, 46, 67.4, 80.2

GPCA 1.1.4, 1.5.1, 1.5.3, 1.5.4, 1.5.5, 2.3.1, 2.3.7, 3.1.8, 3.3.6, 4.1.1, 4.1.3, 4.1.4, 4.1.5, 4.1.7, 4.1.8, 4.1.9, 4.1.10, 4.2.5, 5.1.6, 5.2.4

EPR 16(a), 22.6, 31.6, 38.3, 39, 40, 41, 42.2, 42.3, 43, 44, 46, 48.



Expectation 8.1.3 Health care is multidisciplinary, gender sensitive and culturally appropriate.	• Health care staff adopt a holistic and multidisciplinary approach. • People have adequate and timely access to all forms of physical health care, including dental services, optometry, audiology, physiotherapy, podiatry and other allied health services. • Services are gender sensitive and culturally appropriate. • There are working partnerships with external service providers, including the Aboriginal Health Service.
Expectation 8.1.4 The prison has sufficient facilities and equipment.	• There are enough rooms with sufficient space to provide a full range of health services. • People are seen in private, except in clearly documented exceptional circumstances. • Health services have all required equipment, and it is up-to-date. • All clinical areas and equipment are cleaned, maintained, and serviced to clinical standards.
Expectation 8.1.5 Only qualified health care staff do clinical tasks. There are enough staff to perform the required services.	• Only qualified staff perform tasks such as triaging, medical testing and diagnosis. • There are enough staff onsite during the day. • There are effective out of hours on-call services. • People can access staff of their own gender, or have a representative present if health staff are of a different gender. • Health care staff can provide feedback on any aspect of the prison regime that involves prisoner health.
Expectation 8.1.6 Health care staff are fully accredited and have access to professional development.	• Staff maintain their professional registration and have regular clinical and managerial supervision. • Staff can access professional development.



Expectation 8.1.7 People receive a health examination by qualified health staff within 72 hours of reception.	• Newly received people into custody receive a full health examination within 72 hours. • People who received a full assessment at one prison are screened when they move to another prison. • Health staff consult files from external health providers and previous times in custody. • People can continue pre-existing medical treatment or medication if endorsed by health staff. • People with major or chronic needs have care plans. The plans are implemented and regularly reviewed.
Expectation 8.1.8 Health services are timely and easy to access.	• There is a simple, confidential process for booking a medical appointment. • People are seen promptly. They are triaged according to health risk, diagnosis and prognosis. • Health staff respond promptly to medical emergencies and have all necessary emergency equipment.
Expectation 8.1.9 People in custody are kept informed and give informed consent.	• People are informed in a language and format they understand about their health status, the results of consultations and tests, and available treatment options, including potential side effects. • Voluntary informed consent is always obtained for medical treatment. Consent can be written, oral or implied. Accredited interpreters are used when required. • Consent can be withdrawn any time. • If a person lacks capacity to consent, health staff make 'best interests' decisions, in line with legislation. • The effects of not receiving treatment are fully explained. Treatment refusal is documented. • People are not the subject of unreasonable medical or scientific research.
Expectation 8.1.10 Information sharing about people's health balances risk and medical confidentiality.	• Medical confidentiality is always respected but does not override issues of injury, self-harm or harm to others. • If a person's health creates a risk of injury, self-harm or harm to others, health services give custodial staff the information they require to manage the person safely and to mitigate the risks.



Expectation 8.1.11 People have timely access to specialist services.	• People receive timely treatment from specialist external practitioners. • Referrals are based on medical opinion and are not unduly influenced by security. • Acute needs are immediately addressed. • People on waiting lists are informed of expected wait times.
Expectation 8.1.12 The prison implements effective harm minimisation measures.	• People can confidentially access harm minimisation measures such as condoms, dental dams, sterilising products and needles.
Expectation 8.1.13 Medications are distributed safely and securely.	• Medication distribution times are clinically appropriate and not unduly impacted by security. • People can access over-the-counter medications. This must be documented. • Prescription medications only cease when determined by appropriately qualified health staff. • Medications with the potential for misuse or dependency are only prescribed if there is no alternative, and with strict controls.
Expectation 8.1.14 Health services promote continuity of care on release or transfer.	• People receive seamless health care on transfer to another facility. • On release, people receive a summary of their health status, a referral to a community health care provider of their choice, prescription medications and individualised health advice.
Expectation 8.1.15 Health files for people in custody are accurate, up to date and confidential.	• People have accurate health records from admission to release. • Files are securely stored. • Access to medical files is limited to appropriate personnel. • People have the right to access their own health information and files.



	• Health information of people in custody is provided to state and federal health record systems on release.
Expectation 8.1.16 People can access health advocacy services and complaint mechanisms.	• People can access independent health advocacy services. • People can complain about their treatment in confidence without recrimination. Responses are timely, easy to understand and address the issues raised.

8.2 Mental health care³³

Expectations	Indicators
Expectation 8.2.1 The prison provides sufficient services to meet the health needs of people with mental illness, neurological and developmental disorders, trauma, personality disorders and comorbidities.	• Mental health needs are screened on admission and fully assessed in the first 72 hours. • If issues are identified, there is a timely process for review by a relevant specialist. • Qualified practitioners deliver a community-equivalent range of evidence-based interventions and supports. • People have timely and effective access to a psychiatrist. • People requiring secure forensic mental health care can access it. • There are robust protocols and well-working relationships between the Prison Service, Wilfred Lopes Centre and other service providers, including Aboriginal Health Services. • Adequate psychological counselling services are available. • People with mental illness are not punished for behaviour which is a consequence of their illness. • People with mental illness have care plans which are regularly reviewed.

³³ NMR 5.2, 24, 25, 31, 109, 110

GPCA 4.1.4, 4.1.6, 4.1.12, 4.1.13, 4.2.5, 4.2.7, 5.1.6, 5.1.8, 5.1.10

EPR 12, 40.4, 40.5, 43.1, 47.2



	• People under medical or psychiatric treatment when they enter custody receive continuity of care. • There is continuity of care when people move between facilities. • On release, people receive a summary of their mental health status, a referral to a community health care provider of their choice, prescription medications and individualised health advice.
Expectation 8.2.2 All staff are suitably qualified.	• All custodial staff undertake mental health awareness training, including information on trauma. • Every prison has adequate access to a registered mental health nurse. All nurses have adequate mental health training. • General Practitioners are up to date with mental health practices. • Staff understand that cultural factors and beliefs may impact on diagnosis. Advice is sought, as appropriate, from Aboriginal and culturally and linguistically diverse (CALD) organisations in the community.
Expectation 8.2.3 The prison promotes and supports resilience in people in custody and staff.	• The regime promotes good mental health and minimises the negative impacts of imprisonment. • People in custody and staff can access information and programs to promote mental health and resilience. • They are encouraged to manage stress in a timely and effective way. • Staff assist people in custody to cope with changes in their circumstances.



8.3 Substance use and comorbidity³⁴

Expectations	Indicators
Expectation 8.3.1 Newly arrived people into custody are screened for substance use and supervised detoxification processes are available.	- Initial health assessments identify dependencies, detoxification requirements and immediate risks of harm. - Interventions for withdrawal and detoxification commence immediately. - The prison implements evidence-based detoxification practices. - People are clinically supervised during withdrawal and detoxification.
Expectation 8.3.2 There are effective strategies to reduce demand for illicit drugs, prescription drugs, alcohol, and cigarettes, and to refer people to treatment programs.	- The prison has an evidence-based demand reduction strategy. - There are working partnerships with local drug rehabilitation, counselling and education services. - Staff are adequately trained to support and manage people in custody with substance misuse problems. - There is a clear pathway for referring people for assessment and treatment. - People can access gender sensitive and culturally appropriate education packages about the effects of substance misuse and available services.
Expectation 8.3.3 People with a history of substance use receive individualised treatment and support.	- The prison delivers evidence-based substance use treatment programs and other support services. - Interventions are accredited, meet people's needs, and are regularly evaluated. - There are enough programs and services to meet demand. - Pharmacotherapy programs are available, subject to strict eligibility criteria and clinical monitoring. - Culturally appropriate support groups and individual supports are available.

³⁴ NMR 24.2

GPCA 1.1.4, 4.1.11, 5.1.6, 5.1.7

See also Expectations 8.12 (harm minimization) and 11.7 (supply reduction).



	• Whenever possible, people receiving treatment in the community can continue the treatment in prison. • People receiving treatment in prison are supported to continue treatment on release.
Expectation 8.3.4 People with a history of comorbidity receive multidisciplinary, coordinated interventions and support.	• Drug services are well integrated with health services. • People with mental health and substance-related problems have prompt access to comprehensive, coordinated support services.



Topic 9: People who have experienced abuse or trauma, people at risk of self-harm, and deaths in custody

9.1 People who have experienced abuse or trauma³⁵

Expectations	Indicators
Expectation 9.1.1 People who have experienced abuse or trauma receive appropriate support and are helped to seek redress.	• The prison encourages people who have experienced abuse or trauma to seek support and help. • Staff working with people in custody are sensitive to issues of trauma and abuse. • Trained staff are available to handle disclosures or evidence of abuse or trauma. • People who have experienced abuse or trauma are supported by gender-specific and culturally appropriate services, including health and counselling. • People who have experienced abuse or trauma can access legal advice about their rights and potential legal remedies.

9.2 People at risk of suicide or self-harm³⁶

Expectations	Indicators
Expectation 9.2.1 There are effective systems to identify people at risk of self-harm or suicide.	• There are effective mechanisms to promptly identify people at risk. • Staff are trained to identify people exhibiting signs of crisis. • All staff working with people in custody are trained in identifying risks of self-harm and suicide, and suicide prevention.

³⁵ NMR 30(b)
GPCA 3.1.8
BR 7.1, 7.2, 25.1, 25.2
EPR 25.4

³⁶ GPCA 3.1.6, 3.1.7
EPR 47.2



Expectation 9.2.2 People at-risk are treated safely and with dignity and respect.	• The prison responds promptly when people are identified to be at-risk. • Staff are adequately trained to manage people at-risk. • Risk factors, historical information and cultural factors are considered in responding to self-harm and suicide. • Multidisciplinary intervention is available. • People at-risk are held under the least restrictive regime for their risk, needs and wellbeing. • There is detailed documentation and clear authorisation if a person's normal clothing is to be removed and replaced with anti-rip clothing. • People who are not in their normal accommodation because of their self-harm risks are monitored at frequent and regular intervals. Detailed observation reports are made. • People return to mainstream accommodation as soon as their risks, needs and wellbeing permit. They continue to be monitored.
Expectation 9.2.3 A multidisciplinary team meets daily to consider the management of people at-risk.	• A multidisciplinary team meets daily to consider the progress and management of people at risk of self-harm. • The team includes representatives from custodial, health and support services for people in custody. • All information is shared, including medical information which is necessary for effective risk management. • Records are kept of discussions and reasons for decisions.
Expectation 9.2.4 The person's family and supports are informed and are consulted as appropriate.	• Subject to confidentiality, the person's family and supports in the community are informed of their progress, and consulted about potential risk factors and support options.
Expectation 9.2.5 The prison, the Department of Justice	• If an incident occurs that reveals a physical or procedural weakness, information is shared across the system.



and the Department of Health, monitor and communicate about risks, trends and inquest findings.	• The prison collates data on the rate, nature and circumstances of self-harm. • Data for the whole system are analysed centrally and shared with every site. • There are effective systems to communicate and respond to the findings of Coronial inquests and other reviews.
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9.3 Death and serious self-harm³⁷

Expectations	Indicators
Expectation 9.3.1 The prison promptly notifies all relevant parties about serious incidents, facilitates a comprehensive investigation, and provides support.	• The prison notifies all relevant parties, including next of kin, about any death in custody or serious self-harm. • The Tasmanian Aboriginal Legal Service is informed of the death of an Aboriginal person. • If there is a death in custody, the area is treated as a potential crime scene, evidence is preserved, any victims and witnesses are protected, and appropriate authorities are notified. • The prison facilitates a comprehensive independent investigation of any serious incident. The investigation team does not include any potentially implicated staff. • The body of a deceased person is treated with dignity and respect. • All actions regarding a death in custody comply with the requirements of the <i>Corrections Act 1997</i>, <i>Corrections Regulations 2017</i>, the <i>Coroners Act 1995</i> and any other relevant legislation. • Comprehensive supports are in place for staff and people in custody affected by a death in custody or serious incident. • The prison facilitates appropriate cultural and religious practices if a person dies in custody.

³⁷ NMR 8(f), 69, 71.1, 71.3, 72
GPCA 1.4.4, 1.4.6, 2.3.13, 2.3.14
EPR 24.8, 24.9



Topic 10: Emergency management³⁸

Expectations	Indicators
Expectation 10.1 The prison has a comprehensive emergency management plan which includes Memoranda of Understanding (MOU) with Police, Fire Services and other emergency services.	• The prison's emergency management plan addresses all potential emergencies, including fire, flooding, storms, serious disturbances and infectious disease. • The plan addresses the emergency management principles of Prevention, Preparedness, Response and Recovery (PPRR). • There are up-to-date and workable MOUs with police, fire and other emergency services. • There are appropriate plans for evacuation.
Expectation 10.2 The prison implements effective measures to prevent and respond to pandemics and outbreaks of infectious disease.	• At times of pandemic or major community outbreaks of disease, there are screening processes to reduce the risk of such diseases entering the prison. • The prison has adequate stocks of personal protective equipment (PPE). • In the event of an outbreak, people are managed in a way that respects their rights while reducing the risk of spread of disease. • Prison authorities communicate clearly and regularly with staff and prisoners. • If people's daily lives are seriously impacted, the prison implements compensatory measures, such as extra video visits and phone calls, and more options for study and recreation in cell or in accommodation units.
Expectation 10.3 Alarms and emergency equipment are working, staff are properly trained, and the prison conducts regular emergency	• The prison is fully fitted with approved fire alarms, sprinklers, fire hoses and extinguishers. • All emergency equipment is working, fully maintained and regularly tested. • Staff are trained for all relevant emergencies. Training is contemporary, thorough and up-to date.

³⁸ GPCA 1.4.3, 1.4.6, 3.1.1, 3.2.1
EPR 52.2



management exercises.	• The prison conducts regular emergency management exercises and training, including joint exercises with police, fire and other emergency services.
Expectation 10.4 The prison has measures that reduce the risk of disturbance and responds appropriately if incidents break out.	• The prison monitors operations for any predictors of disturbance. • The prison acts to mitigate identified risks. • Responses are tailored to the incident. They are disciplined, well-managed and proportionate. • Staff use the minimum force required to legally carry out their duties and are accountable for use of force. • If necessary, the prison can access specialised services with controlled equipment and specialist tactical knowledge and skills. The actions of specialised services are subject to independent review and investigation.
Expectation 10.5 The prison and the Department invest sufficient resources into recovery.	• Timely recovery to a standard regime is a priority. • Restrictive practices are not imposed for any longer than necessary. • Additional staff and other resources are provided as appropriate. • Staff and people in custody can access psychological and trauma counselling and support. • Families of people in custody are kept informed.



Topic 11: Security

11.1 Relational security

Expectations	Indicators
Expectation 11.1.1 Staff have a positive, proactive and respectful relationship with people in custody, which reduces the risks of aggression and confrontation and helps to de-escalate tensions.	• The prison has a positive, prosocial culture. • Staff understand the benefits of strong relational security. • They respond respectfully and patiently to questions from people in custody. • They spend time 'on the floor', interacting with people in custody in positive ways. • Professional boundaries and confidentiality are fully observed. • There are effective processes for staff to inform management if they become aware of risks, tensions or concerns, including assaults, self-harm, disorder and drugs.

11.2 Physical security

Expectations	Indicators
Expectation 11.2.1 Physical security is proportionate to risk and not unduly restrictive.	• Building design and layout are functional and meet the profile of people in custody. • Perimeter barriers are sufficient to deter and withstand determined internal or external breaches, but do not overpower the senses. • In prisons without perimeter barriers, or where barriers are open for part of the day, there is clear zoning with signs indicating the limits of people in custody and outsider access. • The internal environment is normalised as far as possible. Internal fences and barriers are used only when necessary. They are proportionate to risk, and do not overpower the senses.



11.3 Procedural security³⁹

Expectations	Indicators
Expectation 11.3.1 Access to the prison is well-controlled and respectful.	• Effective processes and procedures control entry and exit by staff, people in custody and visitors. • Access control processes and procedures are respectful and efficient, and do not interfere arbitrarily with family contact.
Expectation 11.3.2 Internal movements and counts of people in custody are well-controlled and respectful.	• There are safe and efficient processes to manage movements within the prison. • The frequency and style of counts of people in custody are not oppressive. • Counts are accurate for all people in custody, including those working or engaged outside the prison. • The prison knows where people in custody are meant to be at any given time.
Expectation 11.3.3 Security and intelligence systems successfully identify current and emerging threats.	• Effective security systems and procedures detect and prevent escape. They are regularly tested and serviced. • Systems for gathering, recording and managing intelligence are ethical, effective and legal. • Decisions based on intelligence are proportionate to risk and to the reliability of the evidence. • Intelligence reports are regularly reviewed for volume, nature, accuracy and trends.
Expectation 11.3.4 There are effective measures to prevent the entry of contraband.	• The prison implements effective measures to prevent contraband entering the prison, including weapons, mobile phones, drugs, alcohol and cigarettes. • The entry and exit of vehicles and tools is thoroughly checked. Records are kept, and property that was taken onto the prison is checked on departure. • All visitors are subject to these measures unless they are exempt. • The strategy includes use of technologies such as handheld scanners, body scanners and drones.

³⁹ GPCA 1.1.8, 2.1.10, 3.1.5, 3.2.1, 3.2.4, 3.2.7
EPR 49, 51.2



	• Detection dogs are used appropriately and sensitively.
Expectation 11.3.5 There are effective measures to deter and detect drugs, alcohol and other contraband within the prison.	• There is a strategic approach to reducing the demand for drugs and alcohol, as well as the supply. • People take medication in front of staff, unless instructed otherwise. • Random and targeted drug testing is used. It is carried out respectfully and sensitively. • The testing of people in custody is subject to proper oversight to ensure appropriate and fair targeting. • There are systems to ensure the integrity of the test and results. • There are clearly defined penalties for drug use or refusing to undertake a test. • People who test positive, refuse drug testing, or are involved in suspected drug-related incidents, are referred to substance misuse services.

11.4 Searches⁴⁰

Expectations	Indicators
Expectation 11.4.1 Searches are only conducted when necessary, and with respect for the person's dignity and privacy.	• Staff conducting searches are appropriately trained and provided with PPE. • People are clearly informed about search procedures. They are never humiliated or degraded. • Accurate records are maintained, including reason for search, results and parties involved. • Cells and property are left in the same condition they were found in. • Search strategies include both targeted and random searches. • Search strategies, policies and procedures are transparent and regularly reviewed. • There are prominent signs and notices advising people entering the prison of prohibitions and permissions.

⁴⁰ NMR 1, 50, 51, 52, 53
GPCA 2.3.12



	• People in custody can keep documents relating to their legal proceedings. These cannot be searched.
Expectation 11.4.2 People in custody, staff and visitors are only strip searched when absolutely necessary, and with respect for individual rights, dignity and comfort.	• The prison minimises the use of strip searching. Alternatives, such as body scanners, are used whenever possible. • People are not strip searched unless there is specific intelligence and proper authority to do so. • Strip searches are only conducted by trained staff of the same gender. • Strip searches are conducted with regard to the person's modesty. • Resident children and child visitors are never strip searched.

11.5 Incident response⁴¹

Expectations	Indicators
Expectation 11.5.1 The prison has efficient and effective incident response capacity. Incident responses are proportionate.	• The prison takes all necessary measures to reduce and prevent incidents. • All staff are trained in incident response procedures. • When necessary, there is a dedicated incident response team on site. • Responses to incidents are proportionate to the threat and risks. They do not escalate the problem.

⁴¹ See also Expectation 10.4.



11.6 Use of force and restraints⁴²

Expectations	Indicators
Expectation 11.6.1 Force is only used as a last resort. It is legitimate, proportionate, and never used as a punishment.	• Force is never used as punishment. • Staff are fully trained in de-escalation techniques. • Force is the last resort and used for the shortest time necessary. • Staff are fully trained in use of force methods, and in the risks associated with force and restraints. • Weapons and restraints are officially approved and regularly reviewed. • Weapons and restraints are only issued to general duty prison officers in exceptional circumstances. • Firearms are not used against people, except in accordance with the relevant laws. • Planned use of force is properly authorised. • People receiving end-of-life care are not restrained, unless there is an assessed serious risk. • Health staff attend use of force situations, assess the wellbeing of people in custody during and after an incident, and promptly initiate any required treatment.
Expectation 11.6.2 Use of force is subject to strict governance and record keeping.	• All planned uses of force are recorded. • Unplanned uses of force are recorded whenever possible. • Staff involved in a use of force are debriefed and can access support if required. • Staff complete incident reports promptly and do not collaborate on a 'version of events'. • People in custody are debriefed verbally after an incident. They are told why force was used on them. • Use of force is subject to effective, independent and timely review.

⁴² NMR 8(c), 8(f), 43.2, 47.2, 48.1, 49, 82

GPCA 3.1.5, 3.1.14, 3.1.15, 3.1.16

EPR 60.6, 64, 65, 66, 68.2, 68.3, 68.4, 69



	• Use of force data is monitored. Emerging patterns and risks are identified and acted on. • Use of force documentation and associated footage is securely retained. • Prison management identify good practice, opportunities for improvement and possible ill-treatment.
Expectation 11.6.3 People are not placed in 'special accommodation' (cells from which normal furniture or bedding has been removed) or mechanical restraints, except as a last resort and with proper authorisation.	• There is detailed documentation and clear authorisation if special accommodation or mechanical restraints are used for a person in custody. • Such measures are only used for the shortest time necessary. • People with serious mental health issues and people at risk of suicide or self-harm are not held in special accommodation or mechanical restraints, except in exceptional circumstances and in consultation with the mental health team. • People have their normal clothing or bedding, unless there are documented health reasons why they should not, such as self-harm concerns. • People in special accommodation or mechanical restraints are monitored at frequent and regular intervals. Accurate and detailed records are maintained. • People return to a standard cell as soon as risks and needs permit.
Expectation 11.6.4 People are not placed in dry cells (a prison room without running water that is usually under video surveillance), except as a last resort, as a consequence of specific information, and with proper authorisation.	• There is detailed documentation, including the reason for dry cell placement, and clear authorisation for the use of dry cell placement. • People are told why they are on dry cell management and receive a copy of their dry cell separation order. • Dry cell placement is only used for the shortest time necessary, and for a maximum time that does not exceed five days. • People have their normal clothing or bedding, unless there are documented health reasons why they should not, such as self-harm concerns. • People are monitored at frequent and regular intervals by health services and custodial services.



11.7 High-security management regimes⁴³

Expectations	Indicators
Expectation 11.7.1 People in special high-security management regimes are treated with decency and humanity.	• Special high-security management regimes are only used for people who cannot be safely managed in mainstream maximum-security regimes. • There must be clear, recorded authorisation for such placement. • People are treated with decency and humanity. • The environment is physically, physiologically and emotionally safe. • The regime is engaging, constructive and dynamic. • The regime prioritises safety and the prevention of self-harm and suicide. • Every person has a multidisciplinary case management plan. It addresses individual need and is regularly reviewed. • The prison and the Department monitor all people placed in special high-security management regimes.

⁴³ GPCA 1.1.4, 3.1.4, 3.2.9, 3.3.4, 3.3.8, 3.3.9
EPR 53.1, 53.2, 53.4, 53.5, 53.7



Topic 12: Safety and behaviour management

12.1 Bullying and violence⁴⁴

Expectations	Indicators
Expectation 12.1.1 People in custody feel safe from bullying and victimisation.	• The prison has an effective anti-bullying strategy that addresses all forms of abuse and violence towards people in custody. • The prison promptly investigates allegations and responds where required. • Prompt action is taken to protect people at risk. • People allegedly subject to bullying are not discriminated against. • There are systems to prevent retaliation and further victimisation. • People who are bullied are provided appropriate support. • Bullies are supported to change their behaviour.

12.2 Shared cells⁴⁵

Expectations	Indicators
Expectation 12.2.1 People are only allocated to shared cells after a formal risk assessment.	• Where possible, people do not share single cells. • People are only placed in shared cells after a formal risk assessment. • There are consultations with the people involved. • Shared cell placements are administered fairly. • People can request to be moved to another cell. Processes are fair and respectful. • Staff respond promptly and respectfully to emergency cell calls from shared cells. • Cell observation panels are not obstructed.

⁴⁴ GPCA 1.1.4, 3.1.4, 3.2.9, 3.3.4, 3.3.8, 3.3.9
EPR 53.1, 53.2, 53.4, 53.5, 53.7

⁴⁵ NMR 12.1
EPR 18.5, 18.6, 18.7



12.3 Radicalisation and violent extremism

Expectations	Indicators
Expectation 12.3.1 The prison works to prevent radicalisation and violent extremism from being organised or supported by any person in custody.	• Prison staff are trained to identify radicalisation and violent extremism of all forms. • The prison provides opportunities for deradicalising extremists. • Anti-radicalisation measures do not stop people accessing recognised religious texts and artefacts.

12.4 Protection and administrative segregation⁴⁶

Expectations	Indicators
Expectation 12.4.1 People with protection status are safely managed to prevent harm, abuse and neglect.	• People can apply for protection status or be placed in protection by the prison. • People requesting protection are segregated until an assessment and determination is made. • If harm or abuse is alleged or suspected, prompt action is taken to protect the person and to investigate. • People in protection are in a safe and secure part of the prison. • Different groups of people in protection are protected from each other, if risk requires this. • People in protection have equal access to the services and activities available to other people in custody. • Staff working with people in protection are trained to recognise signs of harm, abuse or bullying. • Protection status is regularly reviewed to see if the person can return to a standard regime. Reviews include consultation with the person in protection. • People who want to return to a standard regime remain segregated until it is safe and appropriate to return. • People can appeal against their placement or non-placement in protection.

⁴⁶ GPCA 3.1.3, 3.3.5, 3.3.7



Expectation 12.4.2 Administrative segregation is strictly governed.	• People in administrative segregation are told the reason for segregation in a language and format they understand. • Administrative segregation is never used for an extended period or as punishment. • Any regime deprivations are clearly explained to the person, and accurately recorded. • People in administrative segregation are: ○ not placed in a punishment cell; ○ managed under the least restrictive regime consistent with the reasons for segregation; ○ are visited daily by prison management; and ○ never denied access to medical attention or to existing medications. • Administrative segregation is regularly reviewed to see if the person can return to a standard regime. Reviews include consultation with the person in segregation. • People can appeal against their placement in administrative segregation.
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12.5 Encouraging positive behaviour⁴⁷

Expectations	Indicators
Expectation 12.5.1 Staff behaviour models what is expected from people in custody.	• Staff are good role models. They behave ethically, professionally and respectfully towards each other and towards people in custody. • Interactions and banter are not sexist, racist, homophobic, transphobic or misgendering. • Staff treat people with dignity and respect. • Staff engage proactively with people and seek to know them as individuals. • Staff exercise care and regard for people's rights to privacy and confidentiality.

⁴⁷ NMR 1, 77, 91

GPCA 2.3.1, 2.4.1, 2.4.2, 2.4.3, 3.2.3, 3.4.1, 3.2.3, 5.3.2

EPR 30.1, 51.2, 72.1, 73, 75



	• Staff treat people's property and cells with respect. • Staff know how disability, trauma, abuse and mental illness can impact on behaviour, and respond accordingly.
Expectation 12.5.2 People are encouraged to show prosocial behaviours and to take responsibility for their actions.	• Staff support people to change their behaviour, giving them advice and opportunities to improve. • When rules are breached, staff take time to explain how and why to the person in custody. • People are encouraged to think before they act and to show personal responsibility.
Expectation 12.5.3 The prison has clearly defined codes of conduct for staff, people in custody and visitors.	• All rules and codes of conduct are prominently displayed in appropriate areas of the prison. • They are clearly explained and culturally appropriate. • Staff respond to code of conduct breaches quickly, and at the lowest appropriate level. • When necessary, breaches of rules or codes of conduct are formally investigated, and action taken as necessary.

12.6 Punishment and segregation⁴⁸

Expectations	Indicators
Expectation 12.6.1 Disciplinary proceedings for people in custody are legal, fair, proportionate and efficient.	• Antisocial behaviour is managed at the lowest possible level. Formal disciplinary proceedings are a last resort. • Disciplinary proceedings comply with legislative requirements. • The prison does not impose punishment under the guise of 'administrative' or 'management' measures. • Unofficial punishments are never used. • Punishments reflect the individual person's behaviour. • 'Group' or 'collective' punishments are never used.

⁴⁸ NMR 8(c), 8(e), 23, 36, 37, 38, 39, 40.1, 41, 42, 43, 44, 45, 46, 80.2

GPCA 2.3.2, 2.3.7, 3.4.2, 3.4.3, 3.4.4, 3.4.5

EPR 38.3, 43.2, 56.1, 57.2, 58, 59, 60, 61, 62



	• Alleged breaches are investigated promptly. • People are promptly informed of the charges or proceedings they will face. • People can access interpreters and other support as required. • Disciplinary processes are fair, balanced and accurately recorded. • Where an alleged breach is prosecuted as a crime, people are entitled to all the due process protections that exist in criminal proceedings, including unimpeded access to a legal representative.
Expectation 12.6.2 People are not subject to any cruel, inhuman or degrading punishments, such as prolonged solitary confinement, corporal punishment, placement in a dark or constantly lit cell, sensory deprivation or reduced diet.	• Prisoners are not subject to any form of cruel, inhuman or degrading punishment. • Sanctions are proportionate to the seriousness of the offence. • Sanctions do not prohibit family contact. • People are not sanctioned twice for the same act or offence. • People can appeal against sanctions imposed on them.
Expectation 12.6.3 People are only segregated with proper authority and for the shortest period.	• People are not segregated, except as a last resort and for the shortest time possible. • People are not segregated without proper legal authorisation. • People know why they have been segregated. • Accurate records are maintained, including the nature and duration of the segregation.
Expectation 12.6.4 People are kept safe while segregated. They can access fresh air, and their individual needs are met.	• Staff monitoring people who are segregated are trained and supported to recognise mental health issues or distress. They are vigilant in detecting signs of decline in mental health and can escalate any concerns. • People who are segregated can exercise in the open air for at least two hours every day. The outdoor area is



	of a suitable size for exercise, not oppressive, and allows people to see the sky and get fresh air. • They have meaningful daily conversations with various staff, including prison management and health services. • A multidisciplinary team, including health professionals, monitors the wellbeing and progress of people in segregation on a daily basis.
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Topic 13: Transport⁴⁹

Expectations	Indicators
Expectation 13.1 Vehicles used to transfer people in custody meet safety, dignity and security standards.	• Vehicles are fully maintained, clean and hygienic. • There is adequate leg and head room. • Seats face forwards or backwards and are moulded or cushioned. • Compartments are ligature free, and safe seatbelts are fitted. • There are hatches for items to be passed and handcuffs to be applied. • There are working audio visual monitoring and communication systems. • There is adequate climate control. • There is adequate storage.
Expectation 13.2 Transfers of people in custody are conducted safely, and with respect and decency.	• People are assessed pre-travel to identify and mitigate any risks. They understand why and where they are being transferred. • Transfers are delayed if the person is distressed, unless there are good, documented reasons to the contrary. • Non-standard vehicles are used when necessary if the person has a disability or is pregnant, infirm or injured. • People in custody are not exposed to public view. • They have access to drinking water, sanitary packs and adequate comfort breaks and food. • People in custody are constantly monitored and can communicate with staff.
Expectation 13.3 Staff conducting transfers are adequately trained.	• Staff have been trained to conduct transfers of people in custody in a safe, secure, respectful and decent way. • They have been trained to deal with all types of emergencies, including accidents, breakdowns and medical emergencies.

⁴⁹ NMR 18.1, 21, 22, 68, 73

GPCA 2.1.4, 3.1.5, 3.1.11, 3.1.12, 3.1.13, 3.3.9

EPR 17.3, 32



Part Two:

Supplementary expectations for specific groups of people in custody

These expectations apply in addition to the expectations for all people in custody (Part one) and the Expectations for leadership, management, staffing and governance (Part three).



Topic 14: Aboriginal people

In the 2021 census, 5.4% of Tasmania's population identified as Aboriginal or Torres Strait Islander. 92% of them identified as Aboriginal, 4% as Torres Strait Islander, and 4% as both Aboriginal and Torres Strait Islander.

This is above the national average (3.2%) and higher than any other State or Territory, other than the Northern Territory.⁵⁰

The Aboriginal imprisonment rate is lower in Tasmania (730 per 100,000) than in Australia as a whole (2,329 per 100,000).⁵¹ However, this must not obscure the facts, trends and challenges:⁵²

- In 2022, Aboriginal people comprised 23% of Tasmania's prison population.
- The number of Aboriginal people in custody in Tasmania has risen rapidly and disproportionately in the last ten years.
- In 2012, the Aboriginal imprisonment rate was 480 per 100,000. In 2022, it was 730 per 100,000.
- By contrast, the non-Aboriginal imprisonment rate was the same in 2022 as in 2012 (112 per 100,000).
- Aboriginal people accounted for 50% of the rise in the numbers of people in custody from 2012 to 2022.
- In 2012, Aboriginal people were 4.3 times more likely to be in prison than non-Aboriginal people. In 2022, they were 6.5 times more likely to be in prison.
- Aboriginal women are even more over-represented than men. In 2022, Aboriginal women were 8 times more likely to be in prison than non-Aboriginal women.

In part, these trends may reflect the fact that more people now identify as Aboriginal. However, the key point is that Aboriginal people currently comprise almost a quarter of the prison population, and numbers have grown rapidly.

Royal Commissions, government inquiries and government policies have consistently demanded proactive measures to tackle Aboriginal disadvantage and reduce over-representation. For present purposes, the most significant are:

⁵⁰ Australian Bureau of Statistics, *Aboriginal and Torres Strait Islander people: Census 2021* (2022): <https://www.abs.gov.au/statistics/people/aboriginal-and-torres-strait-islander-peoples/aboriginal-and-torres-strait-islander-people-census/2021>. Over 26% of NT inhabitants identify as Aboriginal or Torres Strait Islander. After Tasmania, the next highest is Queensland, at 4.6%.

⁵¹ Australian Bureau of Statistics, *Prisoners in Australia* (2022) (2023): <https://www.abs.gov.au/statistics/people/crime-and-justice/prisoners-australia>

⁵² *Ibid.*



- The Royal Commission into Aboriginal Deaths in Custody 1991 (RCIADIC).⁵³
- The national Closing the Gap Agreement 2020.⁵⁴
- The Tasmanian government's *Closing the Gap Implementation Plan 2021-2023*.⁵⁵ This included a target of reducing the number of Aboriginal people in prison by at least 15% by 2031.⁵⁶

Throughout these expectations we have referred to the importance of culturally appropriate processes, supports and services, often with specific mention of Aboriginal people.⁵⁷ The following expectations supplement the others, and should be read in conjunction with them.

14.1 Planning

Expectations	Indicators
Expectation 14.1.1 The Prison Service has a strategic plan to address the targets and actions identified in the government's <i>Closing the Gap Implementation Plan 2021-2023</i> and other government plans.	• The Prison Service has a strategic plan for identifying and supporting Aboriginal people in custody. • Aboriginal people have been involved in developing the plan. • The plan sets clear goals and measures in line with the <i>Closing the Gap Implementation Plan 2021-2023</i> and other government plans. • It is age and gender sensitive. • It is known and understood by staff.

⁵³ The Commission's reports can be found at <https://www.austlii.edu.au/au/other/IndigLRes/rciadic/>. Volume 3 deals with custodial care and practices. In 2018, a review found there had been mixed progress in implementing RCIADIC recommendations across the country. Against most measures, Tasmania ranked as one of the poorest performing jurisdictions: see Deloitte Access Economics, *Review of the implementation of the recommendations of the Royal Commission into Aboriginal deaths in custody* (2018): <https://www.niaa.gov.au/sites/default/files/publications/rciadic-review-report.pdf>

⁵⁴ Closing the Gap, *National Agreement on Closing the Gap* (2020): <https://www.closingthegap.gov.au/national-agreement/national-agreement-closing-the-gap>

⁵⁵ *Closing the Gap Tasmanian Implementation Plan 2021-2023* (2021): https://www.dpac.tas.gov.au/data/assets/pdf_file/0027/228852/Closing-the-Gap-Tasmanian-Implementation-Plan-August-2021.pdf.

⁵⁶ In June 2023, the Department of Justice released *Changing Lives, Creating Futures: A Strategic Plan for Corrections in Australia*, 2023. It contains extensive reference to the need to reduce Aboriginal incarceration rates, to reflect the different challenges faced by Aboriginal people, and to partner with Aboriginal organisations.

⁵⁷ Expectations and Indicators with specific reference to Aboriginal people include 2.3 (informing TALS of a person's reception); 3.9 (visiting sick relatives and attending funerals); 6.17 (an Aboriginal Visitor Service); 7.13, 8.3, 8.17 and 8.18 (health and mental health care); 9.7 (informing TALS of the death of any Aboriginal person in custody); 17.8 (older Aboriginal people in custody); 18.6 (Aboriginal women); 20.13 (Aboriginal people with disability); and 23.4 (relationships with Aboriginal organisations).



	In partnership with Aboriginal people, the Prison Service and the Department track the delivery of such initiatives and evaluate the outcomes.
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14.2 Staff culture and training

Expectations	Indicators
Expectation 14.2.1 Staff relate well with Aboriginal people and recognise that they may have different needs.	- Staff receive cultural awareness training, including an understanding of intergenerational trauma and Aboriginal disadvantage. - Staff treat Aboriginal people in custody with dignity and respect and recognise that they have different needs and may have significant cultural obligations.

14.3 Connecting to family and culture

Expectations	Indicators
Expectation 14.3.1 Aboriginal people are identified on admission.	Every person is asked on admission whether they identify as Aboriginal.
Expectation 14.3.2 Aboriginal people can learn about their family history and connect with family and community whilst in custody.	- Aboriginal people and organisations support people in custody to explore and understand their genealogy and family history, to connect or reconnect with family and community, and to engage with their cultural heritage. - The prison encourages and supports family engagement and kinship connections.

14.4 Physical environment

Expectations	Indicators
Expectation 14.4.1 New prison buildings are designed with input from Aboriginal people.	Aboriginal people are consulted about the planning, design and construction of new custodial infrastructure.



Expectation 14.4.2 Prison buildings use artwork, landscaping and other features that reflect local Aboriginal culture.	• Aboriginal artwork, such as murals and paintings, is prominently displayed. • Landscaping reflects consultation with Aboriginal people, including people in custody. • The prison has a meeting place/cultural place where Aboriginal people can meet, especially on culturally significant occasions.
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14.5 Staffing

Expectations	Indicators
Expectation 14.5.1 Aboriginal people are employed in a variety of roles, and they are valued and supported.	• Proactive recruitment strategies encourage Aboriginal people to apply for Prison Service jobs. • The prison employs Aboriginal people in a variety of roles across the prison (management, custodial, health, support services, education, programs and reintegration). • Aboriginal employees are valued and supported in their roles. • Prison managers seek input and assistance from Aboriginal staff in improving safety, services and supports for Aboriginal people in custody.

14.6 Time in custody

Expectations	Indicators
Expectation 14.6.1 Aboriginal people in custody have equal access to employment, training, education and treatment programs.	• Aboriginal people in custody are proportionately represented in employment, training, education and programs. • They are proportionately represented in higher level jobs and gratuities for people in custody.
Expectation 14.6.2 Aboriginal people and organisations are	• Aboriginal people in custody in peer support positions play a significant role in supporting other Aboriginal people, especially those at risk of self-harm or suicide. • There is a visible and regular Aboriginal Visitor Service (AVS). The AVS has access to all people in custody.



delivering services and supports.	The Prison Service is partnering with Aboriginal people and organisations who are delivering culturally appropriate support services and programs in the prison.
Expectation 14.6.3 Events and cultural activities are organised throughout the year.	- The prison organises a wide program of activities during NAIDOC week. Aboriginal people in custody are involved in planning, preparing and participating in the program. - The prison organises Aboriginal-centred activities throughout the year, especially to mark significant occasions. - The prison gives opportunities for yarning circles and other cultural activities. - Cultural activities are linked with education and training wherever possible.
Expectation 14.6.4 Aboriginal programs and support services are age and gender sensitive.	- Support services and programs address the specific needs of younger and older Aboriginal people and Aboriginal women. - The prison respects the important role of Aboriginal women in their communities, including family obligations and extended kinship ties.

14.7 Preparation for release

Expectations	Indicators
Expectation 14.7.1 Aboriginal people in custody receive help to transition back to the community.	- Aboriginal people have equal access to minimum-security facilities and pre-release services. - Aboriginal organisations are involved in providing pre-release support, including connecting people with family and community, and assisting with issues such as housing. - On leaving prison, Aboriginal people can access culturally appropriate, place-based support from Aboriginal organisations.



Topic 15: People on remand⁵⁸

People on remand can also be called ‘unconvicted’ as they are awaiting the outcome of their cases. People who are already serving a sentence but have other outstanding criminal charges are considered to have been sentenced.

There are two groups of people on remand. Some have been remanded in custody by the court and they cannot be released until their cases are finalised, or the court decides to grant bail after they make another application. Other people on remand already have bail, but it is subject to conditions. They will be held in prison unless or until they meet those conditions.

People on remand therefore have a different legal status. The Prison Service needs to have systems and processes that respect their status, and assists them to meet bail and to prepare for court. The expectations governing ‘Early days in custody’, ‘Access to lawyers and legal resources’, and ‘Court appearances’ are of particular relevance to this group.⁵⁹

The number and proportion of people on remand has risen significantly in Tasmania, and in Australia as a whole. In 2022, they comprised one third of Tasmania’s people in custody. In 2012, they were less than a quarter. This presents significant challenges.

15.1 Planning

Expectations	Indicators
Expectation 15.1.1 The Prison Service has a strategic plan for people on remand.	• The Prison Service has a strategic plan for housing, managing and assisting people on remand. • The plan sets clear goals and measures. • It is age and gender sensitive, and culturally appropriate. • It is known and understood by staff.

⁵⁸ NMR 11(b), 111.2, 111.3, 112.1, 113, 116, 118, GPCA 2.3.9, 3.3.3, 5.1.8
EPR 18.8(a), 95.1, 96, 99, 100.1, 101

⁵⁹ Expectations 2.1-2.5 and 4.1-4.3.



15.2 Staff training

Expectations	Indicators
Expectation 15.2.1 Staff understand and respect the legal status, entitlements, needs and risks of people on remand.	• Staff understand that people on remand have different rights and needs, and act accordingly.

15.3 Assisting people on remand

Expectations	Indicators
Expectation 15.3.1 People are helped to meet bail conditions or to apply for bail.	• People with bail conditions are given advice and support to meet those conditions. • People without bail are given information and support to apply for bail.
Expectation 15.3.2 The prison assists people on remand on release.	• The prison immediately returns identification, legal documents, property and medication to people released on bail. • People are released with appropriate clothing, money for food, and access to accommodation. • The prison ensures that people have the means to safely reach their destination.
Expectation 15.3.3 The prison endeavours to minimise the stress and uncertainty of being remanded in custody.	• The prison assists people on remand to resolve any urgent matters arising from their transition to prison. • People remanded for longer than six months are case managed. • Conditions of custody are regularly reviewed. • Incentives and privileges are available.



15.4 Regime and conditions

Expectations	Indicators
Expectation 15.4.1 The regime reflects the fact that people on remand have not been convicted.	• People on remand are not required to work or undertake education but can do so if they wish. • They have access to courses such as life skills, cognitive skills, personal development and drug and alcohol counselling. • They are not expected to undertake treatment programs that depend on them acknowledging guilt. • They can receive social visits every day. • They can undertake reasonable activity to maintain external interests.
Expectation 15.4.2 People on remand are managed safely and separately from people who are sentenced.	• Security assessments are completed promptly. • People on remand are managed at the lowest level of security consistent with their risk. • They are not placed in accommodation with people who are sentenced, unless they indicate in writing that they have no objection. • If the two groups of people are placed together, regular assessment occurs to prevent bullying.
Expectation 15.4.3 Conditions for people on remand are no less favourable than those for people who are sentenced.	• Conditions for people on remand are at least equal to those of people who have been sentenced. • Where possible, people on remand are allocated a single cell.



Topic 16: Younger people⁶⁰

Generally, young people who are under the age of 18 years are held in a youth detention centre not a prison. However, they are sometimes held in an adult prison, either by order of a court or because they are transferred from youth detention. Special provision must be made for these young people.

Young people aged 18 years of age or more also need additional consideration. Legally, they are adults, but they are still developing and transitioning to adulthood. Some are vulnerable, all face significant social problems, and many are already parents. It is in the community's interests to maximise the opportunities for young people aged between 18 to 25 years to be skilled-up, to desist from crime and to live law-abiding lives.

16.1 Planning

Expectations	Indicators
Expectation 16.1.1 The Prison Service has a strategic plan for people up to the age of 25 years.	• The Prison Service has a strategic plan to assist young people transition to adulthood in custody and the community. • The plan sets clear goals and measures. • It is age and gender sensitive, and culturally appropriate. • It is known and understood by staff.

16.2 Staff training

Expectations	Indicators
Expectation 16.2.1 Staff adopt an age-appropriate approach to managing young people.	• Staff are trained in the backgrounds and developmental needs of young people, including issues of trauma and maturity. • Management styles, behaviour management and disciplinary processes take account of age and maturity.

⁶⁰ NMR 11(d), 98.2, 104.1

BR 36, 37, 38, 39

EPR 18.8(c), 26.5, 28.3, 81.3



16.3 Young people under 18 years of age

Expectations	Indicators
Expectation 16.3.1 Strict protocols and procedures govern the admission to prison of people under 18 years of age.	• The Prison Service has up-to-date MOUs with the government department responsible for youth detention. • Decisions to transfer a young person from youth detention are taken in the best interests of the young person. They are not driven by Departmental preferences or management challenges in youth custody. • Family guardians, the Custodial Inspector and the Commissioner for Children and Young People are promptly informed when a young person is transferred from youth detention to prison, and of the reasons for transfer.
Expectation 16.3.2 Young people under 18 years of age are separated from adults, and receive age-appropriate care, treatment and support.	• Young people under 18 years of age are treated appropriately to their age, development and needs. • They are kept separate from adults in custody, unless there are exceptional and positive reasons for them to mix, such as socialising with another family member. • They have multidisciplinary individualised care plans. The plans are implemented and regularly reviewed. • They have access to age and gender appropriate: ○ education and training, including literacy, numeracy and digital literacy; ○ counselling, with a focus on trauma, abuse and victimisation; ○ personal development programs with a focus on life skills, parenting and cognitive skills; and ○ pre-release services from community corrections and community-based organisations. • Recreation, fresh air and exercise are an integral part of the regime. • They are given additional opportunities for family visits.



16.4 Prisoners aged 18 to 25 years

Expectations	Indicators
Expectation 16.4.1 People in custody aged 18 to 25 years are treated and supported in a way that is appropriate to their age, gender and development.	• People aged 18 to 25 are identified on reception and actively supported. • They are safe from harassment, victimisation and bullying. • They are not disadvantaged in accessing employment and other activities, programs and services. • They have access to age and gender appropriate: ○ education and training, including literacy, numeracy and digital literacy; ○ counselling, including trauma, abuse and victimisation; ○ personal development programs with a focus on life skills, parenting and cognitive skills; and ○ pre-release services from community corrections and community-based organisations. • Recreation, fresh air, and exercise are an integral part of the regime.



Topic 17: Older people

The population in prison is ageing. This is partly because the general population is ageing, and people are living longer. More people over 50 years of age are also being received into prison.

As in the general community, people do not become physically or mentally 'old' at a pre-determined age. Some 60 or 70-year-olds are in good health, and some are in poor health. However, everyone experiences more health issues as they get older.

Researchers have also found a 10-year difference between the overall health of people in custody and that of the general population. This usually reflects lifestyle factors prior to entering prison, such as poor nutrition, substance misuse and limited medical care.⁶¹ Given this lower life expectancy, most experts and practitioners say that people in custody aged 50 or more should be regarded as 'older'.

The following expectations revolve around need rather than a 'cut-off' age. They reflect two principles. First, systems must be in place to identify, screen and respond to ageing-related needs of people, especially those aged 50 or more. Secondly, prisons must not accelerate the impact of age-related illnesses and conditions.

17.1 Planning

Expectations	Indicators
Expectation 17.1.1 The Prison Service has a strategic plan for older people in custody.	• The Prison Service has a strategic plan for housing, managing and assisting people through the ageing process. • The plan sets clear goals and measures. • It is age and gender sensitive, and culturally appropriate. • It is known and understood by staff.

⁶¹ Australian Institute of Criminology, *Older prisoners - A challenge for Australian Corrections* (2011): <https://www.aic.gov.au/publications/tandi/tandi426>



17.2 Staff training

Expectations	Indicators
Expectation 17.2.1 Custodial staff know about age-related physical and mental health decline, and the implications for the management of people in custody.	• Staff are trained about age-related physical and mental health decline, and act on such issues. They know that imprisonment and lifestyles leading to imprisonment can accelerate ageing.

17.3 Early days in custody

Expectations	Indicators
Expectation 17.3.1 Older people's needs and risks are identified early.	• Older people's age-specific needs and risks are identified promptly and effectively on reception. • Custodial staff are given enough information to manage the person's needs and risks, but medical confidentiality is also respected. • Older people's individual management plans reflect their medical conditions and prognosis.

17.4 Placement and accommodation⁶²

Expectations	Indicators
Expectation 17.4.1 There is suitable accommodation for older people. Placement decisions prioritise age-related needs.	• The prison has accommodation that is safe and suitable for older people with mobility or health issues. • Accommodation and aides are equivalent to those in residential aged care facilities. • Aides are, as far as possible, ligature free. • People with age-related mobility limitations are allocated ground level cells. • If sharing a cell with bunk beds, they have the lower bed.

⁶² NMR 76.2
EPR 81.3



	When necessary, reasonable adjustments are made to infrastructure to meet a person's needs.
Expectation 17.4.2 People with age-related health issues are managed safely, respectfully and fairly.	- Staff are vigilant to identify and respond to bullying and victimisation of older, vulnerable people in custody. - Older people with age-related health concerns are not routinely segregated or separately confined. - Behaviours associated with ageing are not mistaken for disrespect or non-compliance.

17.5 Daily life⁶³

Expectations	Indicators
Expectation 17.5.1 The regime for older people is purposeful and respectful. It differs, as necessary, from the general prison regime.	- The prison has a purposeful regime for older people. - Reasonable adjustments are made to standard regimes to ensure older people can access a full range of services and activities.
Expectation 17.5.2 Older people have access to meaningful education, employment and program opportunities.	- The prison has sufficient educational, employment and program opportunities for older people, including those who are medically unfit for physical work. - Older people are not disadvantaged due to age. - They can earn higher level gratuities despite age-related limitations on work placement.
Expectation 17.5.3 The prison uses the experience and skills of older people.	- The regime uses the mentoring skills of older people, particularly older Aboriginal people. - Older people are engaged as advisors on ageing issues in the prison.

⁶³ GPCA 5.1.9



17.6 Health and support⁶⁴

Expectations	Indicators
Expectation 17.6.1 Older people receive proactive, respectful and age-appropriate health care.	• The prison provides high quality physical and mental health care for people with age-related decline. • Older people's health needs are regularly reviewed. • Age-related health checks, disease prevention and screening programs are equal to community standards. • There are health staff with qualifications in gerontology, and in aged care and nursing.
Expectation 17.6.2 Older people have adequate support.	• Older people have individualised support plans which include all information relevant to their daily management and support needs. • Plans are developed promptly and in consultation with the person in custody. • If necessary, appropriately trained carers, who are in custody, are employed and assigned to older people for support.
Expectation 17.6.3 The prison deals appropriately with end-of-life decisions, care and support.	• People in custody have equal legal rights to end-of-life decisions, as they would in the community. • Health and social care needs of the terminally ill are adequately and compassionately managed. • The prison facilitates additional end-of-life family visits.

17.7 Preparation for release⁶⁵

Expectations	Indicators
Expectation 17.7.1 Older people are adequately prepared for release.	• The prison has strategies to reduce institutionalisation. • Older prisoners access advice and support to increase their financial stability on release, including advice on employment, pensions and social security. • They have adequate transition support, including links to aged care and support agencies.

⁶⁴ NMR 24.1

GPCA 4.1.17

⁶⁵ NMR 90, 108.1, 108.2

EPR 107.2



Topic 18: Women

Women are a small but significant group of people in custody. In Tasmania, they currently comprise around 9 per cent of the total population in prison.

Women in prison face different challenges from their male counterparts and have different needs and risks. Most have complex health and wellbeing needs and have experienced trauma and abuse, including sexual assault, intimate partner violence and family violence. Many have low self-esteem, and histories of self-harm and substance misuse. They also may carry heavy family responsibilities. The challenges they face may be further exacerbated by time in custody due to grief and anxiety arising from separation from children.

This section begins with expectations for all women in custody. It then provides expectations relating to pregnant women, women who give birth while in custody, and children who reside with their mothers.

18.1 Planning

Expectations	Indicators
Expectation 18.1.1 The Prison Service has a strategic plan for women in custody.	• The Prison Service has a strategic plan for housing, managing and assisting women. • The plan sets clear goals and measures. • It is age and gender sensitive, and culturally appropriate. • It is known and understood by staff.

18.2 Staff and training

Expectations	Indicators
Expectation 18.2.1 Staff working with women in custody are carefully selected and have completed gender-specific training.	• All staff working with women have completed training on their backgrounds and their gender-specific needs and risks. • Staff are screened and selected based on their suitability to work with women.



18.3 Reception, admission and orientation⁶⁶

Expectations	Indicators
Expectation 18.3.1 Women are safe and treated with respect during reception and admission.	• Reception and admission processes recognise the particular needs of women. • Female staff are responsible for reception and admission.
Expectation 18.3.2 Women receive immediate help, support and information in relation to their children and dependants.	• Support and counselling services are available to reduce the trauma of separation from children and other dependants. • Pregnant women and mothers of young children receive information about options for their children to remain with them in prison. Staff assist women to apply for these opportunities.
Expectation 18.3.3 Women receive comprehensive, gender-specific health screening on reception. It includes a focus on trauma and abuse.	• Health examinations take full account of women's gender-specific needs and risks. Areas of focus include: ○ physical, mental and psychiatric care needs; ○ self-harm and suicide risks; ○ histories of abuse and trauma; ○ sexual health, including reproductive health and sexually transmitted infections; and ○ substance misuse and dependencies.
Expectation 18.3.4 Orientation processes are gender-specific and culturally appropriate.	• Women are provided information about their rights, responsibilities and entitlements while in prison. • Information is provided in a language and format they understand. • Orientation is culturally appropriate and acknowledges the roles women play in various cultures.

⁶⁶ BR 2, 6



18.4 Placement and accommodation⁶⁷

Expectations	Indicators
Expectation 18.4.1 Women are held in conditions that are suitable for women.	• Women's prisons are secure, safe, and separated by sight and sound from male areas. • The prison design and the accommodation areas support women's health and wellbeing. • Suitable antenatal and postnatal accommodation is available. • There are enough open-air exercise and passive recreation areas.
Expectation 18.4.2 Women are held under the least restrictive regime for their assessed risks.	• Women are held in the least restrictive regime based on their assessment. • Women are only segregated as a last resort, and with consideration for the effect on children and family. • Minimum security women have access to pre-release activities and external work opportunities. Access is equal to that of men in custody.

18.5 Regime⁶⁸

Expectations	Indicators
Expectation 18.5.1 The regime is purposeful, respectful and gender responsive.	• The prison has a constructive, gender-responsive regime. • There is a strong focus on self-esteem and personal development. • The women are encouraged to actively participate in the regime. • The regime is flexible enough to meet the needs of pregnant women, nursing mothers and women with resident children.

⁶⁷ NMR 11(a)
 GPCA 2.1.4
 BR 4
 EPR 18.8(b), 34.1
⁶⁸ BR 10.1, 42.2
 EPR 34.1



18.6 Living conditions and hygiene⁶⁹

Expectations	Indicators
Expectation 18.6.1 Living conditions are dignified, clean and hygienic.	• Living areas and cells are appropriate for women, dignified, clean and hygienic. • The infrastructure is well maintained. • Bathroom and toilet facilities afford privacy and minimise risk.
Expectation 18.6.2 Women maintain their own personal care and hygiene.	• Period/menstrual hygiene products are readily available and never require a request to a male officer. • Women are active participants in maintaining their personal care and hygiene. • Staff sensitively and professionally encourage women to maintain personal care and hygiene, particularly women from circumstances of disadvantage and marginalisation.

18.7 Clothing⁷⁰

Expectations	Indicators
Expectation 18.7.1 Women have clean, gender-appropriate clothing that is dignified and in good condition.	• Prison issued clothing and underwear is designed for women, respectful and dignified. • Clothing is clean, fits properly and in good condition. • Underwear provides adequate support for daily life and physical activity. • Pregnant women and nursing mothers have suitable clothing.

⁶⁹ NMR 13, 14, 15, 16, 17, 18

BR 5

EPR 19.3, 19.4, 19.7, 34.1

⁷⁰ NMR 19

EPR 34.1



18.8 Family and community contact⁷¹

Expectations	Indicators
Expectation 18.8.1 The prison helps women to develop and maintain family and community contact.	• Mothers can access their children, unless it is not in the child's best interests. • The prison works with other government and non-government agencies to facilitate contact with children and family. • The prison respects the roles of Aboriginal women, including family obligations, childcare practices and extended kinship ties.

18.9 Incentives, privileges and gratuities

Expectations	Indicators
Expectation 18.9.1 Women have equal access to incentives, privileges and gratuities.	• The system of incentives, privileges and gratuities is designed for women. It recognises that women are not men. • Women can access the highest level of incentives, earned privileges and gratuities. • Pregnant women who are unable to work can maintain their incentives, privileges and gratuities.

18.10 Women at risk of self-harm⁷²

Expectations	Indicators
Expectation 18.10.1 Responses to risks of self-harm and suicide are gender-specific, culturally appropriate and individualised.	• Women at risk of self-harm or suicide are treated as women, and with dignity and respect. • Their care addresses their individual needs and stressors, including family matters. • Their treatment is culturally appropriate.

⁷¹ NMR 106

BR 26

⁷² BR 16



18.11 Health care⁷³

Expectations	Indicators
Expectation 18.11.1 Women's health services are delivered in a safe, respectful and dignified environment.	• The health centre is welcoming, calm and female-friendly. • Women can access female doctors, where this is preferred. They can have a representative present if they receive treatment from health staff of a different gender. • If non-medical staff have to be present during medical examinations, they are female.
Expectation 18.11.2 Health services are holistic.	• The complex health and wellbeing needs of women are identified, treated and managed holistically. • Treatment takes full account of issues such as childhood sexual abuse, intimate partner violence and family violence, self-harm, grief, anxiety, separation from children and low self-esteem.
Expectation 18.11.3 Preventative health care is available.	• Women are encouraged to access and learn about preventative health care, sexual health and reproductive care. • They have gender-specific preventative health care services equal to those in the community, including equivalent access to pap smears and mammograms. • Health checks and screening are performed by qualified health staff.
Expectation 18.11.4 Women's mental health needs are identified, treated and supported by services equal to those in the community.	• The prison provides gender-specific mental health services, including counselling and support. • Mental health services are trauma informed. • Health staff are qualified to identify, treat and support women's mental health needs. • Custodial staff can identify women who are feeling particularly distressed and refer them to appropriate services.

⁷³ NMR 24.1, 28

GPCA 4.1.1, 4.1.14, 4.1.6, 4.2.5

BR 7, 8, 10, 11.1, 12, 13, 15, 16, 17, 18, 35 48

EPR 34

Expectations 17.29 to 17.37 deal with pregnant women and resident children.



18.12 Substance use and comorbidity⁷⁴

Expectations	Indicators
Expectation 18.12.1 Women receive gender-specific substance use treatment and support.	• Women's substance use issues are managed with gender-specific treatment, programs, support and counselling. • Access is at least equal to that available to men in custody.
Expectation 18.12.2 Women with histories of comorbidity receive coordinated multidisciplinary support.	• Women with both mental health and substance-related problems have prompt access to comprehensive multidisciplinary support. • Drug treatment services link in with physical and mental health services.

18.13 Classification, sentence administration and case management⁷⁵

Expectations	Indicators
Expectation 18.13.1 Sentence administration and case management systems are based on women's risks and needs.	• Assessment tools and case management plans acknowledge that women generally pose a lower risk to other people but have higher needs than men.

⁷⁴ BR 15

⁷⁵ BR 40, 41(a)

EPR 34.1



18.14 Offender programs⁷⁶

Expectations	Indicators
Expectation 18.14.1 Women can access gender-specific, culturally appropriate programs to address their offending behaviour.	• Gender-specific criminogenic programs meet the needs of women in custody. • Access is substantively equal to that available to men. • The programs reflect the fact that the causes of female offending are different from those of men. • The programs respect the fact that women can respond differently to interventions compared to men. • A safe therapeutic environment supports women dealing with victimisation, trauma and abuse. Individual counselling is available. • Programs and services are available to pregnant women, nursing mothers and women with resident children.

18.15 Education and employment⁷⁷

Expectations	Indicators
Expectation 18.15.1 Education and employment opportunities for women are diverse, of interest, and increase the likelihood of successful reintegration.	• Education and employment opportunities reflect the diversity of women in custody. • They are not limited to stereotypical gender skills and roles. • They develop skills for employment post release, including for women entering the workforce for the first time.

⁷⁶ GPCA 5.1.9
BR 41(c), 42.3, 42.4
EPR 34.1

⁷⁷ EPR 26.4, 34.1



18.16 Preparation for release⁷⁸

Expectations	Indicators
Expectation 18.16.1 Women in custody are prepared for release.	• Release plans are developed in consultation with the individual. • Women can access personal development programs on issues such as personal safety, parenting and money management. • There are strong links with government services. • There are strong links with community-based support services dealing with issues of trauma and family violence. • Women in custody have substantive equity in accessing work release and reintegration programs, including unsupervised opportunities in the community.

18.17 Security and behaviour management

Expectations	Indicators
Expectation 18.17.1 Search practices maintain the dignity of women in custody, resident children and child visitors. ⁷⁹	• Searches of women are only conducted by female staff. These staff have been trained in trauma informed practice. • Searches are respectful and have full regard for experiences of trauma, violence and abuse. • Women are not strip searched unless absolutely necessary. If a woman is strip searched, she must never be fully naked, and two appropriately trained female staff must be present. Males must not be present. • Resident children and child visitors are only searched if absolutely necessary. They are never strip searched.

⁷⁸ NMR 108.1, 108.2

BR 45, 46, 47, 55

EPR 34.1

⁷⁹ NMR 50, 51, 52.1

BR 19, 20, 21

EPR 34.1, 54.5



	• If resident children or child visitors are searched, a parent or guardian must be present. Staff must show sensitivity and professionalism.
Expectation 18.17.2 Punishment and disciplinary procedures for women are fair, reasonable and gender responsive. They do not unduly impact on their children. ⁸⁰	• Women do not face disciplinary procedures which are conducted by all male personnel. • Sanctions for women do not restrict contact with their children. • Women who are pregnant or breastfeeding, and women with resident children, are not placed in separate confinement.
Expectation 18.17.3 Use of force and restraint practices are respectful and gender responsive. ⁸¹	• Staff know that force and restraint practices can cause further trauma to women who have experienced prior violence and abuse. • Force and restraints on women are applied by female staff. • Force is not used against pregnant women or women with resident children, unless there is an immediate risk, and all other means have been exhausted. The safety of the unborn baby or resident child is paramount. • Pregnant women are not routinely restrained. If there is an assessed immediate risk, and it cannot be managed by other means, pregnant women are only to be mechanically restrained with handcuffs at the front of their body.

⁸⁰ NMR 43.2

BR 22, 23

⁸¹ NMR 48.2, 49

GPCA 3.1.16

BR 24

EPR 34.1



18.18 Pregnancy, birth and postnatal support⁸²

Expectations	Indicators
Expectation 18.18.1 Pregnant women receive care that is equal to care in the community.	• Pregnant women's needs are prioritised in accommodation placement decisions. • Pregnant women have 24-hour access to prison and hospital-based care. • All necessary steps are taken to reduce the chances of miscarriage, stillbirth and infant mortality. • Health checks and screening meet community standards. • Pregnant women have individual health care plans which include information on pregnancy, parenting, health, diet and exercise. • Subject to any overriding issues of medical confidentiality, staff know which women are pregnant. • Qualified staff provide information and counselling on pregnancy, miscarriage and options for termination. • Pregnant and postnatal women are given advice and support about the potential removal of their babies into government care.
Expectation 18.18.2 The prison responds promptly and appropriately to emergencies involving pregnant women.	• Custodial staff respond respectfully, promptly and effectively when pregnant women in custody express concern about their health or safety. • Health staff are fully trained to respond to pregnancy-related emergencies. • Prison security measures do not hinder a timely and effective response.
Expectation 18.18.3 Women in custody give birth in hospital.	• Women in custody give birth in a hospital, unless it is a health emergency that cannot await transfer. • Transfers to and from hospital are conducted with respect and decency in appropriate vehicles. • Security arrangements during transfer and hospital stays are the minimum necessary.

⁸² NMR 28, 90
BR 42.2, 48.1
EPR 34.1



	• Women are never restrained during labour, while giving birth, or immediately after delivery. • If a woman has to give birth in prison: ○ she does so in clinically clean and respectful conditions; ○ she and her child receive full medical support; ○ they are transferred to hospital as soon as necessary; and ○ the birth certificate does not record the child as born in prison.
Expectation 18.18.4 Postnatal women are well-supported and treated with dignity and respect.	• Suitable accommodation is available for women who have recently given birth. • The prison meets the medical and nutritional needs of women who have recently given birth. • Postnatal women can access all appropriate services and supports. • Women are not discouraged from breastfeeding, unless there are specific health reasons to do so.

18.19 Children⁸³

Child wellbeing

Expectations	Indicators
Expectation 18.19.1 Where it is in the best interests of the child, women can access programs and support to develop and maintain relationships with a child, including a child for whom they are	• Women in custody have a range of opportunities to develop and maintain relationships with their children, including child residence and programs for extended day stays and overnight stays. • The primary consideration for accessing these programs is the best interests of the child. • The prison respects the cultural diversity of women in custody and supports their different childcare traditions.

⁸³ NMR 29
GPCA 3.1.9
BR 9, 33.3, 49, 50, 51, 52
EPR 36.1, 36.3



the recognised primary carer.	
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Resident children

Expectations	Indicators
Expectation 18.19.2 The resident children program operates on comprehensive, fair, equitable and inclusive criteria.	• Clear policies govern the resident children program. • Women know the policies and how to appeal decisions. They are given all necessary assistance. • The primary consideration is the best interests of the child. • Other relevant considerations are environmental conditions, risks, quality of care and time left in prison. • The prison has a coordinator responsible for overseeing the resident children program.
Expectation 18.19.3 Resident children are safe, and mothers are empowered.	• Resident children are not treated as prisoners. • Accommodation is domestic rather than custodial. • The environment is suitable, child safe, and includes outdoor play spaces. • There is enough capacity to meet demand. • Mothers with resident children: ○ are responsible for the care of their children; ○ spend the maximum possible time with them; ○ can make informed choices; ○ can access parenting programs equal to those in the community; and ○ are given the knowledge and skills necessary for child emergencies, including first aid. • Staff who have contact with children have: ○ Registration to Work with Vulnerable People; and ○ adequate training, knowledge and skills, including for child emergencies.



Health care for resident children

Expectations	Indicators
Expectation 18.19.4 Resident children have community-standard health care.	• Resident children have access to 24-hour health care services. • Access is equal to that available in the community. • The prison facilitates child health nurse visits, and in reach general health care for children. • Where risk permits, mothers can attend their resident child's health appointments in the community. If this is not possible, the prison facilitates contact between the mother and the child's nominated carer. • In emergencies, health centre staff can advise and assess the health care needs of resident children. • Subject to legal requirements and proper documentation, mothers can access over-the-counter medications for resident children.

Removing a child from prison

Expectations	Indicators
Expectation 18.19.5 Mothers are well supported when their children are removed from the prison.	• Decisions about removing a child from prison are based on individualised and comprehensive assessments. • The paramount consideration is the best interests of the child. • A separation management plan is developed in consultation with the mother and nominated carer. • Mothers receive counselling and all necessary support services during and after separation. • Separation is performed sensitively and professionally. Child safety is the paramount consideration. • After the child is removed, the prison makes every effort to facilitate contact between the mother and child.



Topic 19: LGBTIQ+ people

The lesbian, gay, bisexual, transgender, intersex, queer, asexual, and other sexually or gender diverse (LGBTIQ+) community is not homogenous; sexual orientation, sex characteristics and gender identity occur across a spectrum.⁸⁴ Prisons must be aware of, and responsive to, issues that affect this community, to ensure a safe, respectful and effective custodial culture.

Prisons are generally divided into female or male facilities, and gender identity, gender diversity and variations of sex characteristics can present challenges in this traditionally binary environment. Which facility should a person be placed in to ensure their safety, while also recognising their gender? How does a prison reconcile the use of a preferred name and pronoun that isn't the name and pronoun displayed on a person's legal paperwork? How does a person's gender identity or sex characteristics impact on the way prison operations and procedures, such as personal searches and use of force, are performed?

Sexual orientation refers to a person's sexual attraction to another person. Diverse sexual orientation describes the spectrum over which people identify their sexual orientation, including lesbian, gay, bisexual, asexual as well as sexually fluid.

The management of people who identify with the gender they were assigned at birth and with a diverse sexual orientation is relatively straightforward. They will be allocated to a male or female prison and managed in accordance with their self-identified gender. Normal searching and other practices can be used. However, noting that their sexual orientation may increase their vulnerability, the prison must ensure that they are safe, have equal access to activities, services and supports, and are protected from discrimination and bullying.

Some people do not identify according to traditional binary categories of male and female. Their experiences of gender, and how they identify, may not correspond with their assigned sex at birth and may shift over time.⁸⁵

Terminology differs, but the United Nations uses 'transgender', 'intersex' and 'gender diverse' as follows:

- Transgender people identify as a different gender from the sex assigned to them at birth, for example, a person who was born female may identify as male, or vice versa. Transgender or trans people may or may not undertake surgery and/or hormone treatment.⁸⁶

⁸⁴ Australian Government – Australian Institute of Family Studies, *LGBTIQ+ glossary of common terms* (2022), <https://aifs.gov.au/resources/resource-sheets/lgbtiqa-glossary-common-terms>

⁸⁵ The Yogyakarta Principles, 2007.

⁸⁶ United Nations, *The struggle of trans and gender-diverse persons* (n.d): <https://www.ohchr.org/en/special-procedures/ie-sexual-orientation-and-gender-identity/struggle-trans-and-gender-diverse-persons>



- Gender diverse refers to people whose gender identity and gender expression differs from the perceived gender norm, including not identifying within the male/female binary.⁸⁷
- Intersex is an umbrella term used to describe a wide range of innate bodily variations in sex characteristics. Intersex people are born with sex characteristics that do not fit typical definitions for male or female bodies, including sexual anatomy, reproductive organs, hormonal patterns, and/or chromosome patterns.⁸⁸

19.1 Planning

Expectations	Indicators
Expectation 19.1.1 The Prison Service has a strategic plan for LGBTIQ+ people in custody.	• The Prison Service has a strategic plan for housing, managing and assisting LGBTIQ+ people. • The plan sets clear goals and measures. • It is age and culturally appropriate. • It is known and understood by staff.

19.2 Staff training

Expectations	Indicators
Expectation 19.2.1 Staff know and apply principles of equality and non-discrimination relating to sexual orientation, sex characteristics and gender identity.	• Staff receive training regarding human rights, sexual orientation, sex characteristics and gender identity. • Staff have a contemporary understanding of HIV and HIV transmission, including the effect of having an undetectable viral load. • Staff receive training from people with lived experience.

⁸⁷ United Nations, *The struggle of trans and gender-diverse persons* (n.d): <https://www.ohchr.org/en/special-procedures/ie-sexual-orientation-and-gender-identity/struggle-trans-and-gender-diverse-persons>

⁸⁸ UN Human Rights Office, *Background Note on Human Rights Violations against Intersex People* (2019): <https://www.ohchr.org/sites/default/files/Documents/Issues/Discrimination/LGBT/BackgroundNoteHumanRightsViolationsagainstIntersexPeople.pdf>



19.3 Gender identification

Expectations	Indicators
Expectation 19.3.1 People are addressed and referred to in the gender with which they identify.	• On reception, people are sensitively asked about their preferred gender, name and pronoun. • They are addressed according to their preference. • People can identify as transgender or gender diverse at any stage during their time in prison. • Policies and procedures do not conflate intersex with gender identity. • Records accurately reflect people's details. • Staff ensure people's right to privacy.

19.4 Bullying, violence and abuse⁸⁹

Expectations	Indicators
Expectation 19.4.1 All people in custody are safe from violence or abuse, regardless of sexual orientation, sex characteristics or gender identity.	• The prison ensures that people are not bullied, abused or assaulted because of their sexual orientation, sex characteristics or gender identity. • Gender expression that does not fit with gendered stereotypes is not discouraged or restricted.
Expectation 19.4.2 People in intimate relationships are protected from partner abuse.	• If people form intimate relationships, the prison takes measures to ensure that the relationship is not abusive.

⁸⁹ NMR 76.2

YP 9(d), 9(g), 10(a), 10(b), 10(c)

EPR 81.3



19.5 Placement and accommodation⁹⁰

Expectations	Indicators
Expectation 19.5.1 Placement decisions are based on a comprehensive consideration of the person's safety and wellbeing.	• Placement decisions are based on a robust assessment of the person's individual needs, including their safety and preferences. • A multidisciplinary team conducts placement assessments for transgender, gender diverse and intersex people in custody. • People in custody participate in discussions and have a right of appeal. • People are not routinely segregated due to their sexual orientation, sex characteristics or gender identity, but they can apply for protection status or be placed in protection if this is necessary or appropriate. • Partners can be housed in double up cells where appropriate.
Expectation 19.5.2 People are held in a prison, or part of a prison, that is consistent with their gender identity and offers the least restrictive regime for their needs and risks.	• People in custody identifying as transgender or gender diverse are held in a place consistent with their gender identity. • They have equal access to minimum-security placements.

⁹⁰ YP 9(a), 9(c), 9(d)



19.6 Property, clothing and appearance⁹¹

Expectations	Indicators
Expectation 19.6.1 Transgender and gender diverse people in custody can access personal effects to maintain their gender identity and appearance.	• Transgender and gender diverse people are asked about their preferred clothing and underwear on reception. This is provided, subject to safety and security assessments. • They can maintain hairstyles they feel are consistent with their gender identity. • They can access personal property and purchase items via the canteen to maintain their gender identity and appearance, subject to safety and security assessments. • Period/menstrual hygiene products are readily available to people who menstruate.

19.7 Health and support⁹²

Expectations	Indicators
Expectation 19.7.1 LGBTIQ+ people in custody have access to health care that meets their needs and is equivalent to community standards.	• Access is equal to that available in the community. • Health staff are competent to respond to the complex and specific needs of people with diverse sexual orientation, and people who are transgender, gender diverse and intersex. • LGBTIQ+ people in custody receive physical and mental health care and health promotion services that meet their assessed needs and risk factors. • People have access to medication that reduces the risk of getting HIV, as well as free and easily accessible condoms. • People who are pregnant or postnatal receive inclusive healthcare that meets their needs. • Transgender people who are undergoing gender transitioning in the community at the time of reception can continue treatment in custody.

⁹¹ NMR 18.2

⁹² NMR 24.1, 24.2,
GPCA 4.1.16, 4.2.5
YP 9(b)



	• Transgender people can commence gender transitioning treatment in prison. • Health staff are competent in responding to the needs of people with innate variations of sex characteristics, including being aware that intersex people may have experience of forced and coercive medical interventions. • Intersex people diagnosed in prison are referred to appropriate specialist care. • Health services promote continuity of care on release for LGBTIQ+ people, including specialist care.
Expectation 19.7.2 LGBTIQ+ people in custody can access support services.	• People have individualised support plans relevant to their management, support and counselling needs. • They can access the prison-based support and counselling supports that they require. • They can contact appropriate external support networks.

19.8 Searches⁹³

Expectations	Indicators
Expectation 19.8.1 Search procedures maintain the inherent dignity of LGBTIQ+ people in custody.	• LGBTIQ+ people are not searched more often than other prisoners. • Staff are adequately trained to perform searches, including awareness of the diverse sensitivities of the LGBTIQ+ community. • People are asked to identify their gender identity before being searched. Searches are carried out by people of the gender preferred by the person. If this cannot be done, the person is safely managed until there can be a search or appropriate alternative arrangements are made.

⁹³ NMR 50, 52.1



19.9 Transport

Expectations	Indicators
Expectation 19.9.1 Transport arrangements for LGBTIQ+ people ensure safety, security and dignified treatment.	• Risk assessment processes are conducted before the person is transported. • They are transported safely, securely and with dignity. • People are not routinely transported in a single vehicle cell due to their sexual orientation, sex characteristics or gender identity.

19.10 Rehabilitation and reintegration⁹⁴

Expectations	Indicators
Expectation 19.10.1 LGBTIQ+ people in custody have equal access to rehabilitative and reintegration opportunities.	• LGBTIQ+ people have equal access to the full suite of services, programs and treatment available to other people in custody, to meet their rehabilitative and reintegration needs. • They are not denied access to services, programs and treatment due to their sexual orientation, sex characteristics or gender identity.

⁹⁴ NMR 108.1, 108.2
GPCA 5.1.9



Topic 20: People with disability

Article 1 of the United Nations Convention on the Rights of Persons with Disabilities 2006 (CRPD) provides that:

Persons with disabilities include those who have long-term physical, mental, intellectual or sensory impairments which in interaction with various barriers may hinder their full and effective participation in society on an equal basis with others.

Although the Convention refers to 'long-term' impairments, these expectations also apply to people with short term physical, mental, intellectual or sensory impairments.⁹⁵

In line with the national *Disability Discrimination Act 1992*, the term 'disability' in these expectations includes mental illness.⁹⁶

People with mental, intellectual and sensory impairments are over-represented in the criminal justice system. It is estimated that:

- Around 40% of people in custody have experienced some level of mental illness.⁹⁷
- 20% of the prison population or more has a cognitive or intellectual disability, compared with 2-3% of the general population.⁹⁸
- People with sensory disabilities, particularly deafness and hearing impairments, are also over-represented. Research in Victoria found that 12% of people in custody had hearing loss,⁹⁹ and research in the Northern Territory found more than 90% of Aboriginal people in custody had significant hearing loss.¹⁰⁰
- By contrast, people with physical disability are under-represented. This may be because the physical disability limits the ability to engage in criminal

⁹⁵ See also OICS (WA), *Inspection Standards* (2020): <https://www.oics.wa.gov.au/publications/corporate-publication/> p 67.

⁹⁶ See also Expectations 8.17 to 8.19

⁹⁷ Australian institute of Health and Welfare (AIHW), *Health of Prisoners* (2022):

<https://www.aihw.gov.au/reports/australias-health/health-of-prisoners>

⁹⁸ People with Disability Australia, *Productivity Commission Issues Paper: Access to Justice Arrangements* (2013): <https://www.pc.gov.au/inquiries/completed/access-justice/submissions/submissions-test/submission-counter/sub030-access-justice.pdf>

⁹⁹ Quinn, S and Rance, G 'The extent of hearing impairment amongst Australian Indigenous prisoners in Victoria, and implications for the correctional system', *Int J Audiol*, 2009 Mar 48(3):123-34.

¹⁰⁰ Vanderpol, T., & Howard, D 'Investigation into hearing impairment among Indigenous prisoners within the Northern Territory Correctional Services', 2011, Darwin: Northern Territory Correctional Services. <https://healthinonet.ecu.edu.au/healthinonet/getContent.php?linkid=38638&title=Investigation+into+hearing+impairment+among+Indigenous+prisoners+within+the+Northern+Territory+Correctional+Services>



activity.¹⁰¹ However, as the population ages, more people in custody have physical disability.¹⁰²

People in custody with disability are at risk of discrimination, negative attitudes, social isolation, and lack of awareness on the part of other people and staff. They can be vulnerable to manipulation and assault, and communication barriers can result in incidents and management issues. People with disability can also experience difficulties meeting parole requirements and transitioning back to the community.

20.1 Planning

Expectations	Indicators
Expectation 20.1.1 The Prison Service has a strategic plan for people with disability.	• The Prison Service has a strategic plan for housing, managing and assisting people with disability. • The plan sets clear goals and measures. • It is age and gender sensitive, and culturally appropriate. • It is known and understood by staff.

20.2 Staff training

Expectations	Indicators
Expectation 20.2.1 Staff are adequately trained to manage and assist people with disability.	• Staff are trained so they can manage people with disability fairly, safely and effectively. • Staff understand that 'non-compliance' may result from the person's disability and should be managed accordingly.

¹⁰¹ Australian Human Rights Commission Regulations, Australian Human Rights Commission Regulations 1989 - Federal Register of Legislation (1989): <https://www.legislation.gov.au/F1997B01736/latest/text>

¹⁰² See Expectations 17.1 to 17.12.



20.3 Screening¹⁰³

Expectations	Indicators
Expectation 20.3.1 People are systematically screened for disability on admission.	• A safe and supportive environment puts people at ease to disclose any impairments, not just already diagnosed disabilities. • The prison has valid and reliable assessment tools to identify types of disabilities, so identification does not depend on self-reporting. • Screening occurs within 72 hours of reception. • Screening is conducted by appropriately qualified staff. • Results are accurately recorded. • Details are communicated with the person in an empathetic language and format they understand.

20.4 Information sharing

Expectations	Indicators
Expectation 20.4.1 Information relevant to the person's management is shared with relevant staff.	• Subject to privacy requirements, relevant staff are informed when a person's disability will affect their management (including hearing impairment and communication difficulties). • The person's disability is factored into their individual management plan, subject to privacy considerations.

20.5 Guardianship¹⁰⁴

Expectations	Indicators
Expectation 20.5.1 People under legal guardianship are appropriately represented and supported.	• People under legal guardianship orders can easily access their guardian. • Staff can identify when a person under guardianship requires access to their legal guardian. • The prison promptly informs legal guardians of significant changes to a person's circumstances.

¹⁰³ GPCA 4.1.15

¹⁰⁴ GPCA 2.3.5, 2.3.8



	• The prison has procedures identifying when a person may need a guardian to be appointed. • Safeguards are put in place until guardianship can be activated, or access to the guardian is obtained.
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20.6 Requests and complaints

Expectations	Indicators
Expectation 20.6.1 People with disability can access advocacy services.	• People with disability have access to request complaint and advocacy services, that is at least equal to that available in the community and to other people in custody.

20.7 Dignity, respect and safety

Expectations	Indicators
Expectation 20.7.1 People with disability are treated with dignity and respect.	• Staff are good role models. They treat people with disability in a respectful and dignified manner. • All people in custody are given education about disability and impairment.
Expectation 20.7.2 People with disability feel safe from bullying, victimisation and violence.	• Staff are vigilant to identify and respond to bullying, victimisation and violence towards people with disability, particularly those who are vulnerable to such abuse. • People with disability can easily report bullying, victimisation and violence. Reporting mechanisms account for the person's specific impairment.



20.8 Placement and accommodation¹⁰⁵

Expectations	Indicators
Expectation 20.8.1 Accommodation is suitable, decent and safe.	• The prison design reflects the needs of people with disability. • Where required, appropriate modifications and adjustments are made to the built environment. • Conditions do not impose an undue burden on a person because of their disability. • People with mobility limitations are allocated to ground level cells and lower bunk beds. • People's disability needs are assessed prior to placement, including whether to allocate them to a shared cell. • People with disability are not routinely segregated or placed in separate confinement.

20.9 Daily life

Expectations	Indicators
Expectation 20.9.1 People with disability have a meaningful and purposeful regime.	• The prison provides a purposeful daily regime for people with disability. • They can access all reasonably necessary aids, technology and supports. • People with disability understand the regime rules and requirements, especially those with psychosocial, intellectual and cognitive impairments. • The privileges system takes adequate and respectful account of people's disabilities. • The prison seeks advice from people with disability on issues of prison regime.

¹⁰⁵ NMR 109.1



20.10 Employment, education and programs¹⁰⁶

Expectations	Indicators
Expectation 20.10.1 People with disability have equal access to employment, education and training.	• People are not excluded from employment, education or training because of their disability. • The prison provides employment opportunities tailored to the needs of people with disability. • People with disability can access education and training opportunities tailored to their needs, including literacy, numeracy and digital literacy. Delivery is in a language and format they understand. • Appropriately qualified staff are skilled to deliver courses and programs to people with disability. • Access to employment, education and training is substantively equal to that of other people in custody. • People with disability have equal access to higher level gratuities.

20.11 Rehabilitation programs

Expectations	Indicators
Expectation 20.11.1 People with disability have timely access to treatment programs that meet their needs.	• People who have a disability that precludes participation in mainstream group treatment programs can access group or individual programs that meet their needs. • Programs are completed, and reports are prepared, before the person becomes eligible for parole.

¹⁰⁶ GPCA 5.1.9



20.12 Health care¹⁰⁷

Expectations	Indicators
Expectation 20.12.1 The prison meets the health care needs of people with disability.	• People with disability can reasonably access the treatment, therapies, aids and medications they need to manage their health. • People receive ongoing assessments to ensure their impairments are not exacerbated by imprisonment. • Health staff are appropriately qualified. • People with disability have a right to privacy equal to other people in custody. • People with disability maintain their right to consent and to refuse medical treatment. Where necessary, the person's guardian is involved. • The prison accesses community-based services when appropriate.

20.13 Support¹⁰⁸

Expectations	Indicators
Expectation 20.13.1 People with disability receive comprehensive individualised support.	• People with disability are adequately supported while in custody. • Staff sensitively manage people with disability, particularly at times of crisis. • People with disability have individualised support plans, which include all information relevant to the person's daily management, and their support needs. The plans are regularly reviewed. • Adequate cultural support is available, particularly for Aboriginal people with disability.

¹⁰⁷ NMR 109.3
GPCA 2.3.8, 4.1.15

¹⁰⁸ NMR 76.2
EPR 81.3



20.14 Searches¹⁰⁹

Expectations	Indicators
Expectation 20.14.1 People in custody with disability are treated with dignity and respect during searches. When appropriate, alternatives are used.	• People with disability are not disproportionately searched more often than other people in custody. • Alternative search methods are used if a search of the person may cause undue pain, discomfort or stress. • Before a search is conducted, people with disability are informed about search procedures in a language and format they understand. • People with disability can sit down as much as required during the search process. • Health staff are involved in the removal of any artificial limb or aids, including bandages or casts, where these impede a search and there are reasonable grounds to suspect unauthorised concealment. • Searches are conducted with due regard to the person's privacy and modesty. • Aids are inspected respectfully, and promptly reassembled and returned.

20.15 Use of force and restraints¹¹⁰

Expectations	Indicators
Expectation 20.15.1 Force and restraints are only used as a last resort on people in custody with disability. When used, the person is treated with respect and dignity.	• Before using force or restraints on a person with disability, staff use all de-escalation options. • Instructions and explanations are delivered to people with disability in a way they understand. • People with disability are not subject to force or restraints that exacerbate their disability. • Care plans for people with disability highlight risk factors and set out alternative management protocols. • Staff do not use restraints on people with disability, unless they have been appropriately trained and the techniques have been approved.

¹⁰⁹ NMR 50

¹¹⁰ GPCA 3.1.16



20.16 Disciplinary procedures and punishment¹¹¹

Expectations	Indicators
Expectation 20.16.1 Disciplinary processes and punishment take full account of a person's impairment.	• People with disability are not sanctioned or disciplined for behaviour resulting from their disability. • Disciplinary procedures take full account of the person's impairment. • Behaviour management procedures provide positive behaviour support for people with disability. • Where necessary, health or disability support staff provide specialist advice. • Punishment does not exacerbate a person's disability, or cause harm to a person because of their disability. • Alternatives to formal disciplinary procedures are used whenever possible. • Staff are encouraged to use alternative management options.
Expectation 20.16.2 Restrictive practices are used only as a last resort for people with disability.	• The prison does not limit the rights or freedom of movement of people with disability, unless all other options have been exhausted.¹¹² • If used, restrictive practices are imposed: ○ for the shortest possible time; ○ in line with a behaviour support plan; and ○ under the guidance of an appropriately qualified clinician or disability professional.

¹¹¹ NMR 39.3, 45.2

¹¹² On the meaning of 'restrictive practices', see Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability. *Restrictive Practices Issues Paper* (2020): <https://disability.royalcommission.gov.au/publications/restrictive-practices>



20.17 Transport¹¹³

Expectations	Indicators
Expectation 20.17.1 Transport arrangements for people with disability are safe and secure.	• Staff conduct a risk assessment prior to any escort, ensuring adequate and appropriate resources, aids and vehicles are used in the transport. • If necessary, suitable and safe non-standard vehicles are available for use. • Staff are well trained and equipped to respond to in transit emergencies involving people with disability.
Expectation 20.17.2 People with disability have an equal opportunity to attend court, medical appointments and other out of prison activities.	• A person's disability does not prevent them attending court hearings, medical appointments and other activities outside the prison in person.

20.18 Preparation for release¹¹⁴

Expectations	Indicators
Expectation 20.18.1 People with disability are adequately prepared with any reasonable and necessary supports in place prior to their release.	• People with disability can access advice, support and skills to prepare them for their release. • They have equal access to minimum-security, pre-release opportunities. • They have suitable accommodation on release. • The prison provides effective transition support, including coordinated links with support organisations, the NDIS, and other government and non-government services.

¹¹³ GPCA 1.2.2

¹¹⁴ NMR 108.1, 108.2



Topic 21: Foreign nationals

Expectations	Indicators
Expectation 21.1 Foreign national people in custody are supported to cope with life in prison, and to maintain connection with their family and community of interest.	• Foreign nationals know how to maintain connection with their family and community of interest. • They have access to information in a language and format they understand. • They have access to English language and other courses to assist them to cope with prison life. • Consular assistance and interpreter services are obtained as required. • Foreign nationals receive extra calls and/or allowances where they are unlikely to receive regular visits. Where necessary, phone calls are facilitated at a mutually appropriate time of day. • The prison provides advice to people in custody who wish to consider international transfer back to their country, • The prison supports foreign nationals who are being deported or removed from the country upon release.



Part Three:

Planning, Human Resources, Governance and Sustainability



Topic 22: Planning, governance and human resources

22.1 Planning¹¹⁵

Expectations	Indicators
Expectation 22.1.1 The Department has a strategic plan for corrections.	• There is a clear, comprehensive, corporate plan for corrective services. • The plan covers prisons and community-based corrections. • It includes broad objectives, underlying principles and measurable targets. • It is based on a robust analysis of population trends of people in custody and predicted future changes. • It caters for the needs of different groups within prison, not just the number of people in custody. • It identifies the roles of each prison within the system. • Staff know and understand the Department's strategic plan.
Expectation 22.1.2 Each prison has an operational plan, including philosophy, guiding principles and projected outcomes.	• Each prison has an operational plan underpinned by a philosophy and a set of guiding principles. • Staff know the prison's operating philosophy and put it into practice. • The plan caters for the needs of all people held at that prison. • The plan states the prison's goals and projected outcomes. • Staff are involved in developing, evaluating and amending the plan.
Expectation 22.1.3 Planning is financially robust, responsible and responsive.	• Corporate and prison-based planning is supported by a robust budget. • The Department and its prisons develop and present detailed and responsible business cases.

¹¹⁵ GPCA 1.4.4, 2.3.4
EPR 72.2



	• The Department and its prisons respond to budget pressure by implementing safe, secure and sensible cost-saving measures.
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22.2 Standard operating procedures

Expectations	Indicators
Expectation 22.2.1 Standard operating procedures are clear, consistent, and comply with legislation and international standards.	• The Department has up-to-date operating procedures for all prisons. • The procedures are user-friendly and internally consistent. • They comply with domestic legal requirements and meet international and national standards. • They are easily accessible to staff. • They are evaluated and updated as required. • When changes are made, staff are informed and trained as required. • They are publicly available, unless there are strong reasons to the contrary.

22.3 Communication

Expectations	Indicators
Expectation 22.3.1 There are robust and effective processes for communication.	• Communication is regular, respectful and recorded. • The Department communicates effectively with the prisons. Staff are clearly informed of changes. • Prison managers communicate effectively with staff at the prison. • Staff have appropriate avenues to communicate with local management and head office leadership.



22.4 Human resources and staff management¹¹⁶

Expectations	Indicators
Expectation 22.4.1 Onsite staffing levels are sufficient for the prison to manage people in custody safely, securely and respectfully, and to deliver all relevant programs and services.	• Staff numbers meet the prison's needs in all operational and service areas. • There are effective rostering processes and systems to cover planned and unplanned leave. • Unscheduled absences are minimised through effective monitoring and staff welfare support. • The prison is not over-reliant on overtime. • An up-to-date workforce strategy anticipates future recruitment needs and helps to ensure staff retention.
Expectation 22.4.2 Staff have the necessary knowledge, skills and authorisations. They are trained to the highest standards of professionalism, competence, integrity and honesty.	• All positions have an accurate and current job description. • Staff have full authorisations and security clearances for the work they do. • All staff: ○ understand the legislation and policies to which they must adhere; ○ understand the role of independent oversight bodies and cooperate with them; ○ demonstrate the knowledge and skills to perform their work professionally; ○ are trained and can access professional development relevant to their role and skills; and ○ are culturally competent. • Staff working with prisoners are trained in people in custody's human rights. • Staff can provide input on their training and professional development needs, and their input is valued.

¹¹⁶ NMR 74.1, 74.2, 75, 76, 78.1, 79.1, 80.1

GPCA 1.1.4, 1.1.7, 1.2.1, 1.2.2, 1.2.3, 1.2.4, 1.2.5, 1.2.7, 1.4.4, 1.5.6, 2.4.6.

BR 30

EPR 8, 25.2, 72.2, 72.4, 73, 76, 77, 81.1-3, 85



Expectation 22.4.3 The staff profile is diverse. As far as possible, it reflects the profile of people in custody.	• Recruitment is gender responsive and culturally appropriate. • As far as possible, the gender and ethnic mix of custodial staff reflects the prison population.
Expectation 22.4.4 Staff have the necessary support.	• All staff have access to the resources and supports necessary to do their jobs, including how to manage burn out, trauma, vicarious trauma and compassion fatigue. • Staff who are appointed to higher level roles can access training on the effective management and supervision of other staff.
Expectation 22.4.5 Appointments, promotions and access to other opportunities and benefits are governed by effective, transparent and fair processes.	• Staff appointments, transfers, promotions, opportunities to act in higher positions and payment of special allowances are decided by transparent, merit-based systems. • There is a transparent, fair and effective staff performance management system. • Accurate records are kept of staff misconduct, associated evidence and actions taken. • There are opportunities for appeal.
Expectation 22.4.6 Processes relating to pay, leave and leave management are accurate, fair and effective.	• Staff are paid accurately and on time. • Leave entitlements are accurately recorded. • Leave application processes allow the prison to plan effectively and are fair to staff. • Leave management arrangements ensure that staff do take leave, and that the prison does not carry an excessive leave liability.



22.5 Staff grievances

Expectations	Indicators
Expectation 22.5.1 Staff have appropriate and effective ways to express and resolve work-related grievances.	• Staff know their rights and responsibilities in resolving grievances. • Grievances are resolved promptly, fairly, sensitively and confidentially. • Every attempt is made to resolve the grievance at the lowest level. • Staff are clearly informed of the outcome and have a right of appeal.

22.6 Bullying, corruption and misconduct

Expectations	Indicators
Expectation 22.6.1 There are robust and effective processes to tackle bullying.	• The Department has clear, central anti-bullying policies. • Staff know their rights and obligations. • Staff understand what constitutes bullying and how to report alleged bullying. • Each prison, and the Department centrally, treats allegations of bullying fairly, consistently, and in a timely way. • The person making the complaint, and the other parties, are treated with respect and are promptly informed of the outcome of any investigation.
Expectation 22.6.2 There are robust and effective processes to tackle corruption and misconduct.	• The Department has clear anti-corruption policies, and is proactive in identifying and addressing potential corruption and misconduct. • The Department has processes in place to assess all complaints, reports or concerns from staff and contractors, about other staff or the Department, to determine if they meet the threshold of being a protected disclosure. Protected disclosures are handled in accordance with the <i>Public Interest Disclosures Act 2002</i>. • Staff do not fear reprisal for reporting improper conduct. • All staff understand:



	○ what constitutes corruption or misconduct; ○ how to make a public interest disclosure; and ○ the role of the Integrity Commission Tasmania and the Ombudsman.
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22.7 Records management¹¹⁷

Expectations	Indicators
Expectation 22.7.1 The Department and the prison keep comprehensive and accurate records for people in custody.	• Official records are kept for each person in custody. • Records are comprehensive, accurate and up-to-date. • Records are securely managed and archived. They are not accessible to unauthorised persons. • Effective procedures prevent unauthorised access or modification of people's files. • People in custody and people who have been released from prison can access information in their personal file, subject to any necessary authorised redactions. Information is available and accessible to people about making an application for their personal information or information under the <i>Right to Information Act 2009</i>.

¹¹⁷ NMR 6, 7, 8, 9, 92.2, 92.3
GPCA 1.5.1, 1.5.2, 1.5.3, 1.5.4, 1.5.5, 1.5.6



Topic 23: Environmental sustainability and community relations

23.1 Environmental sustainability

Expectations	Indicators
Expectation 23.1.1 The Department is committed to environmental sustainability.	• Procurement aligns with environmental management agendas, including clean energy, energy and water efficiency, and recycling. • New buildings are designed with environmental factors and climate change in mind. • Land management is responsible and sensitive. • Prison transport arrangements are environmentally friendly. Vehicles have regular environmental and efficiency assessments.
Expectation 23.1.2 The prison implements effective environmental sustainability practices.	• Water and energy use is efficient. Consumption is minimised. • Waste is minimised and handled in a safe, legal and environmentally responsible manner. • Staff and people in custody are informed about sustainable practices.

23.2 Community relations¹¹⁸

Expectations	Indicators
Expectation 23.2.1 A wide range of community-based service providers are involved with the prison.	• Community-based service providers deliver services such as domestic, financial and life skills, spiritual guidance and post-release connections. • Service providers are security checked, authorised, and receive an adequate induction to the prison. • All people in custody can access and receive assistance from service providers. • The prison evaluates the material used by service providers and the results of their services, using the views of participants and other relevant criteria.

¹¹⁸ NMR 74.2, 88

GPCA 1.4.1, 2.4.4, 5.1.6, 5.2.4, 5.4.2, 5.4.4

EPR 90.1



Expectation 23.2.2

The community knows about and has input into prisons, staff and their work.

- Prison management meets regularly with a representative Community Reference Group to provide information and updates. The meetings help to inform prison operations and community engagement activities.
 - The prison has a positive relationship with Aboriginal and CALD agencies and support groups, and groups that provide services to LGBTIQ+, young people, women and people with disability.
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Appendix 1: Human rights instruments, standards and guidance

Abbreviation	Full title
BR	The United Nations Rules for the Treatment of Women Prisoners and Non-Custodial Measures for Women Offenders (The Bangkok Rules) (2010) https://www.unodc.org/documents/justice-and-prison-reform/Bangkok_Rules_ENG_22032015.pdf
EPR	European Prison Rules (2020) https://search.coe.int/cm?i=09000016809ee581
GPCA	Guiding Principles for Corrections in Australia (2018) https://www.corrections.vic.gov.au/guiding-principles-for-corrections-in-australia
NMR	The United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules) (2015) https://www.unodc.org/documents/justice-and-prison-reform/Nelson_Mandela_Rules-E-ebook.pdf
YP	The Yogyakarta Principles plus 10 (2017) https://yogyakartaprinciples.org/principles-en/





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