Prison Rule 2 Protection Prisoners

Prison



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# Purpose

### This rule provides for the management, control and security of Protection Units and the protection prisoners therein in accordance with r 54(c) of the *Prison Regulations 1982* and s 35 of the *Prisons Act 1981.*

# Scope

### This Rule applies to all prisons with a Protection Unit.

### This Rule applies to all persons employed by the Department of Justice (the Department), and to all contract workers authorised by the Commissioner in accordance with s 15I (1) of the *Prisons Act 1981* to perform a function.

# Placement of Prisoners

### The Protection Multi-Disciplinary Team Chair shall determine which protection prisoners are placed in a Protection Unit, in accordance with [COPP – 4.10 Protection Prisoners.](https://justus/intranet/prison-operations/Pages/prison-copps.aspx)

# Management, Control and Security of Protection Units and Protection Prisoners

### Subject to paragraph 4.1.2 and 4.1.3 below, protection prisoners in a Protection Unit shall be provided with the same entitlements and privileges in accordance with [COPP 10.1 – Prisoner Behaviour Management](https://justus/intranet/prison-operations/Pages/prison-copps.aspx) and shall be subject to the same policies and procedures (as set out in the various COPPs) as mainstream prisoners.

### The Superintendent of a prison with a Protection Unit may restrict the movements, recreational activities, employment and education options of protection prisoners in Protection Units to minimise their contact with mainstream prisoners and maintain their safety and security.

### Superintendents of a prison with a Protection Unit shall establish procedures and issue orders (as appropriate) regarding the:

1. movements;
2. access to employment, library, education and recreational activities
3. placement options for prisoners on close supervision or separate confinement
4. the manner in which visits are conducted.

### of protection prisoners in Protection Units to minimise their contact with mainstream prisoners and maintain their safety and security.

# Definitions and Acronyms

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| Term | Definition  |
| Commissioner’s Operating Policy and Procedure (**COPP**) | Operational Instruments that provide instructions to staff on how the relevant legislative requirements are implemented. |
| Entitlement  | All prisoners are entitled access to certain conditions, services, activities and items. These minimum entitlements are informed by legislation, common law and other relevant instruments. |
| Privilege | A concession or item available to a prisoner in addition to any entitlement provided under legislation or written instrument. |
| Superintendent | The Superintendent as defined in s. 36 *Prisons Act 1981* includes any reference to the position responsible for the management of a private prison under Part IIIA *Prisons Act 1981*. This does not extend to the Officer In Charge of the prison. |

# Related Legislation

* [*Prisons Act 1981*](file:///C%3A/Users/Peter/AppData/Local/Temp/IM/COPP%2010.1%20Prisoner%20Behaviour%20Management%20v1.31.docx#_Related_legislation)
* [*Prisons Regulations 1982*](file:///C%3A/Users/Peter/AppData/Local/Temp/IM/COPP%2010.1%20Prisoner%20Behaviour%20Management%20v1.31.docx#_Related_legislation)

# Related COPPs

* COPP 4.10 – Protection Prisoners
* [COPP 10.1 – Prisoner Behaviour Management](https://justus/intranet/prison-operations/Pages/prison-copps.aspx)

Document version history

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| Version  | Primary author(s) | Description of version | Date completed | Effective date |
| 0.1 | Operational Policy | Initial draft | 24 May 2021 | n/a |
| 0.2 | Operational Policy | Updated following consultation with SSO | 3 November 2021 | n/a |
| 1.0 | Operational Policy | Approved by the Minister for Corrective Services |   | 6 December 2021 |