Prison Rule 7 Visitor Restrictions

Prison

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|  | Rule made by the Chief Executive Officer of the Department of Justice pursuant to section 35 of the *Prisons Act 1981* |  |
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|  | Rule approved by the Minister for Corrective Services pursuant to section 35 of the *Prisons Act 1981* |  |
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# Purpose

### This Rule provides for the authority for restrictions for visits with prisoners.

# Scope

### This Rule applies to all prisons.

### 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) *Prisons Act 1981* to perform a function.

# Restricted Visits with Children

## Screening

### Upon a prisoner being received into a prison, the Superintendent shall ensure all prisoners’ current charges, convictions and prior offence histories are checked for violent and/or sexually related offences committed against children under the age of 18 years. Where an offence of this nature is present, the prisoner shall be classified as a ‘Restricted Visits’ prisoner and an alert placed on TOMS.

### A prisoner that does not fall within the criteria defined in section 3.1.1, but for whom assessment of that prisoner identifies their potential risk to children (eg family domestic violence offences committed in the presence of a child) shall be classified as a ‘Restricted Visits’ prisoner and an alert placed on TOMS.

### Prisoners shall not be permitted to receive visits with children until all relevant screening checks have occurred, this includes E-Visits.

## Eligibility to apply to receive visits from specific children

* + 1. ‘Restricted Visits’ prisoners may only apply for visits with specific children where the legal guardian of the child visitor(s) is willing for visits to occur, and:
1. The child is an ‘immediate family’ member, meaning a prisoner’s son/daughter, or brother/sister by birth/marriage (ie step-child or adoption). This does not include grandchildren, nephew/niece, cousins or other extended family; and/or
2. The prisoner was the ‘primary care giver’ to the child.

# Other Restricted Visits Considerations

### Outlaw Motorcycle Gang visitors presenting with clothing depicting club association or political/ gang affiliation shall be refused entry, unless they have alternative clothing to change into.

# Definitions and acronyms

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| Term | Definition  |
| Commissioner’s Operating Policy and Procedures (COPP) | COPPs are policy documents that provide instructions to staff as to how the relevant legislative requirements are implemented. |
| Superintendent | The Superintendent as defined in section 36 of the [*Prisons Act 1981*](http://www.slp.wa.gov.au/legislation/statutes.nsf/main_mrtitle_751_homepage.html)and includes any reference to the position responsible for the management of a private prison under Part IIIA of the [*Prisons Act 1981*](http://www.slp.wa.gov.au/legislation/statutes.nsf/main_mrtitle_751_homepage.html). Does not extend to the Officer in Charge of a prison. |
| Total Offender Management Solution (TOMS) | The computer application used by the Department of Justice for the management of prisoners and detainees in custody. |

## Related legislation

* *Prisons Act 1981*
* *Prison Regulations 1982*

Document version history

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