COPP 7.2 Social Visits

Prison

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| PrinciplesAs referenced in the [Guiding Principles for Corrections Australia 2018](https://files.corrections.vic.gov.au/2021-06/guiding_principles_correctionsaustrevised2018.pdf):2.1.10 Visit facilities provide help to normalise contact arrangements and cater for the diverse needs of visitors to prisons.3.1.10 Prisoner visits take the safety and best interests of children and other vulnerable persons into account.5.2.2 Prisoners are supported to maintain family relationships and links to the community through personal and professional visits. |

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# Scope

This Commissioner’s Operating Policy and Procedure (COPP) applies to all public and private prisons administered by or on behalf of the Department of Justice (the Department).

# Policy

Visits is an important aspect of enabling a prisoner to maintain a connection with their family and community. Prisoners are encouraged to maintain family relationships and links to the community through social visits.

For the purposes of this COPP, the term visitor applies to visits by friends and relations of a prisoner[[1]](#footnote-1)*.*

Prisoner visits take the safety and best interests of children and other vulnerable persons into account, including the ability to accommodate the individual requirements of disabled visitors.

The Superintendent/Officer in Charge (OIC) may permit a prisoner to receive visits from a friend or relation who is confined in another prison[[2]](#footnote-2), whilst ensuring the continued custody of the prisoner and the protection and security of the public.

Prisoner’s access to e-visits presents a security risk and appropriate controls and supervision are required to ensure the risk to the prison and community are managed.

All communications with prisoners should be conducted in such a way that language diversity is acknowledged and understood, especially so prisoners understand their ability to maintain contact with family and friends. Prisoners unable to communicate in spoken and/or written English are made aware of their right to communicate in their preferred language and if necessary, interpreters who are certified by the National Accreditation Authority for Translators and Interpreters are provided.

# Visits with Family and Friends

### Prisoners are allowed to receive visits from friends and relations[[3]](#footnote-3). For the purposes of this COPP, relations include extended family and people in de-facto relationships.

### A remand prisoner shall be permitted to receive social visits as soon as practicable after admission. Thereafter, they shall be permitted to receive two social visits per week, subject to the physical capacity of the prison’s visiting facilities[[4]](#footnote-4), at times specified in [Prison Rule 3 Visit Times](https://justus/intranet/prison-operations/Pages/acr-list.aspx) (Prison Rule 3). A remand prisoner may be permitted to receive more than two social visits per week when there is physical capacity available within the prison’s visiting facility.

### Sentenced prisoners may receive visits as soon as practicable following admission to a prison and thereafter on a weekly basis[[5]](#footnote-5), at days and times specified in [Prison Rule 3](https://justus/intranet/prison-operations/Pages/acr-list.aspx).

### Long term prisoners may be eligible for additional visits in accordance with [COPP 10.1 Prisoner Behaviour Management](https://justus/intranet/prison-operations/Pages/prison-copps.aspx).

### Visits shall not be approved between a protected person and a respondent, where a Violence Restraining Order, Family Violence Restraining Order or Misconduct Restraining Order is known to be in place, unless the order specifically permits contact to occur.

### Every visit to a prisoner shall be a contact visit unless the Superintendent determines that for the preservation of the good order and security of the prison, it shall be a non-contact visit, in accordance with legislation[[6]](#footnote-6).

### All visits from family and friends shall be arranged by appointment in accordance with the [Department of Justice webpage](https://www.wa.gov.au/service/justice/criminal-law/visiting-prisons-or-detention-centre), at least 24 hours prior to the scheduled visit time.

### When an appointment is made, prison staff shall advise visitors where applicable, of the following:

* + 1. a maximum of 3 adult visitors and 3 children are allowed (the Assistant Superintendent may authorise additional visitors in exceptional circumstances)
		2. children under the age of 18 years must be accompanied by and be under the supervision of a responsible adult, unless otherwise authorised by the Superintendent
		3. new visitors must bring suitable identification in accordance with [section 4.1](#section7)
		4. all visitors must report to the Gate Officer, or an Officer nominated by the Superintendent/OIC on arrival.

### Dual visits (i.e., a visit to 2 prisoners at the same time by the same visitors) are generally not permitted except if the Superintendent/OIC is satisfied time does not permit relatives to see members of the same family individually or other extenuating circumstances exist.

### Where visitors have indicated the need to bring support/equipment (including assistive technology, assistance dogs, medical equipment etc.) to assist with their disability, custodial staff shall accommodate the request.

# Visitor Procedures

## Visitor identification

### Prior to having a visit with a prisoner, visitors shall be required to compete a Visitor Declaration Form and produce current proof of identity[[7]](#footnote-7) in accordance with the Visitor Identification Form.

### Where a visitor is unable to attend the prison (i.e., international/interstate/ remote intrastate visitors) visitors shall be required to email their Visitor Declaration Form to the prison. Prior to commencing an e-visit with a prisoner, the visitor must clearly show (through their device’s camera) current proof of identity for an Officer to verify and complete the Visitor Identification Form. Where deemed necessary, an Officer may complete a declaration on the visitor’s behalf.

### International e-visitors are excluded from providing the identification listed in the Visitor Identification Form, however, must provide a photograph ID.

### A Prison Officer who is a permanent employee of the Department may witness the Visitor Declaration Form; this includes Prison Officers employed by a privately operated company.

### Once current proof of identity has been confirmed and TOMS has been updated with the visitor’s photograph in accordance with section 4.6, Officers may use the visitor’s TOMS profile to confirm their identity for subsequent visits. Visitors should be prepared to provide photo identification at every visit (including e-visits), as an Officer may request a visitor’s ID to confirm their identity.

### Visitors entering a prison shall be permitted to wear religious and/or cultural headwear and shall be treated with care and respect. Confirmation of a female’s identity, where required, shall be conducted in accordance with [COPP 11.2 – Searching](https://justus/intranet/prison-operations/Pages/prison-copps.aspx).

### The Superintendent (or delegate) may authorise a person to visit a prisoner for social purposes where sufficient proof of identity has not been provided but refusing the visit would cause hardship to the prisoner or considerable inconvenience to the visitor. The Superintendent shall have regard to the importance of visits by friends and relatives to prisoners.

## Children visiting

### A Superintendent/OIC may permit an unaccompanied child aged 16 or 17 years to visit a prisoner if the child provides written consent from their parent or legal guardian as proof of identity, unless the prisoner is a ‘Restricted Category’ prisoner, refer [COPP 7.4 – Visitor Restrictions and Bans](https://justus/intranet/prison-operations/Pages/prison-copps.aspx).

### The Superintendent/OIC, in exceptional circumstances may permit an unaccompanied child aged 16 or 17 years to visit a prisoner without the consent of their parent or legal guardian, unless the prisoner is a ‘Restricted Category’ prisoner. The reasons for giving permission are to be recorded on TOMS.

### Prison staff may request a child provide proof of age where doubt exists. Any one of the following forms of current proof of age is acceptable:

* + 1. student concession card
		2. student library card
		3. driver’s licence with photo
		4. driver’s learners permit.

### For the purpose of accompanying and/or supervising a child on a social visit, a prisoner shall not be regarded as a responsible adult. Day and extended visits conducted in accordance with [COPP 4.3 – Female Prisoners](https://justus/intranet/prison-operations/Pages/prison-copps.aspx) are exempt from this provision.

### Accompanied children are not required to provide proof of identification.

## Documentation

### The Gate Officers shall ensure all visitors to prisoners (with the exception of children under the age of 18 years) complete a written declaration before their first visit in accordance with the Visitor Declaration Form.

## Confirmation of contact details

### The Gate Officers, prior to the visit proceeding shall:

* + 1. confirm with visitors their personal and/or contact details
		2. enter all relevant information pertaining to visitors on TOMS.

## Annual review

### On an annual basis as per the TOMS Daily Visit Report, visitors shall be required to provide documentation confirming their identity, personal details (e.g., name, address) and have a new photograph taken.

## Photographs of visitors

### All visitors aged 18 years or over are required to have their photograph taken:

* + 1. before their first visit
		2. whenever facial features have changed to such an extent that ready identification is difficult (i.e., growing a moustache)
		3. when personal or contact details change.

### E-visitors who cannot attend the prison as per section 4.1.2, shall be asked to centre themselves in front of their device’s camera to enable an Officer to take a screenshot of them.

### A photograph shall be taken of a child aged 16 or 17 years, who is visiting a prisoner, if the child is unaccompanied by a parent or guardian.

### Consent must be received before photographs are taken, with all photographs uploaded to the visitor’s record on TOMS. The Superintendent shall retain photographs until approving a written request to have the photograph removed. The Superintendent may remove photographs when satisfied the following is confirmed:

* + 1. death of a visitor
		2. the visitor is unlikely to visit a prison again.

### The Superintendent, on approving the removal of a visitor’s photograph shall:

* + 1. email: Datamanagementgroup@justice.wa.gov.au
		2. ensure a copy of the email advice is maintained, together with the relevant Visitor Declaration Form
		3. ensure the visitor’s personal details and details of visits are retained.

## Unauthorised items and searches

### As per [COPP 11.2 – Searching](https://justus/intranet/prison-operations/Pages/prison-copps.aspx) all personal items in a social visitor’s possession shall be considered unauthorised with the exception of:

* + 1. locker key
		2. where a baby is attending, a dummy (pacifier), blanket and baby’s bottle. The bottle can only be filled with a liquid for the baby’s consumption during the visit (e.g. formula, water, milk)
		3. any other item as approved by the Superintendent.

### Visitors and their property may be searched where the Superintendent or delegate considers it necessary for the good government, good order and security of a prison, in accordance with [COPP 11.2 – Searching](https://justus/intranet/prison-operations/Pages/prison-copps.aspx).

## Records of visits

### Each prison shall record all visitors on the bookings list and maintain a record on the prisoner’s visit module (TOMS), of the:

* + 1. date and time of the visit
		2. name of the prisoner
		3. name and address of each visitor
		4. relationship between each visitor and the prisoner
		5. nature or purpose for the visit
		6. outcome of the visit.

## Visitor code of conduct and dress standards

### Visitors and prisoners are required to conduct themselves in accordance with the Visitors Code of Conduct (provided prior to first visit), refer [Appendix A: Visitor Code of Conduct](#_Appendix_B:_Visitor).

### Visitors are required to adhere to the minimum standards of dress, refer [Appendix B: Visitor Dress Standards](#_Appendix_C:_Visitor) (provided prior to first visit).

### Visitors are required to comply with all notices displayed and any instructions given by prison staff.

## Refusal of a visitor

### Visitors may be refused entry into or banned from visiting a prison (refer [COPP 7.4 – Visitor Restrictions and Bans](https://justus/intranet/prison-operations/Pages/prison-copps.aspx)).

## Termination of visits

### Prison Officers may terminate a visit if:

* + 1. there are concerns that the visit may interfere with the preservation of the good order or security of the prison
		2. visitors or prisoners display offensive, inappropriate or improper behaviour, refer [Appendix A: Visitor Code of Conduct](#_Appendix_B:_Visitor).

### Prison Officers who terminate a visit shall complete an Incident Report on TOMS and submit to the Superintendent.

## Money deposits

### Money can only be deposited into a prisoner’s account by a visitor who is listed on the prisoners approved social visitors list. This includes in person, phone, and online deposits.

# Inter-Facility Visits

## General requirements

### The Superintendent may permit a prisoner to receive visits from a friend or relation who is confined in another prison, whilst ensuring the continued custody of the prisoner and the protection and security of the public.

### Prisoners may be transferred to other prisons to facilitate alternative placements for social visits for a period of time. Transfers for visits shall be processed in accordance with [COPP 2.3 – Assessments and Sentence Management](https://justus/intranet/prison-operations/Pages/prison-copps.aspx) and conducted in accordance with [COPP 12.4 – Prisoner Transfers](https://justus/intranet/prison-operations/Pages/prison-copps.aspx).

### The following prisoners are not permitted to attend inter-facility visits but may be allowed to receive them:

* + 1. High Security Escort (HSE) prisoners
		2. prisoners under the Mentally Impaired Accused Review Board (MIARB)
		3. prisoners who are on close supervision in accordance with [COPP 10.1 –Prisoner Behaviour Management](https://justus/intranet/prison-operations/Pages/prison-copps.aspx).

### The Case Conference shall monitor and record the progress of inter-facility visits.

### The Authorised Assistant Superintendent shall consider a decision slip from the Case Conference as soon as practicable if there is a recommendation to suspend, cancel or reinstate visits, advising the Superintendent of the other prison of the outcome.

## Application process

### Applications for visits shall be processed in accordance with [COPP 2.3 Assessments and Sentence Management](https://justus/intranet/prison-operations/Pages/prison-copps.aspx).

### An application for visits shall be made on TOMS.

### Either party to the proposed visit may make an application to the Superintendent of the prison in which they are placed.

### An application for visits shall include an assessment and a recommendation to permit a visit, taking into consideration one or all of the following criteria:

* + 1. the relationship with the prisoner i.e. a mother, father, sister, brother, son or daughter
		2. prisoners who are significantly isolated from their normal community or country, i.e. kinship, extended family, important friendship, funerals, compassionate leave
		3. A marriage relationship including defacto or ceremonial based on:
* the proven importance the relationship has been to one or both prisoners in the past
* the commitment demonstrated to the relationship by one or both prisoners through other forms of communication
* the negative impact the non-contact is having on one or both prisoners.

## Security

### The Case Conference and the Superintendent shall consider the security arrangements necessary to ensure the safety of the public at all times.

### A recommendation for a visit shall be based on assessment and consistent with the security ratings of the prisoners.

### The prisoner with the lower security rating shall visit the prisoner with the higher security rating.

### The supervision plan for visits in accordance with, [COPP 4.10 – Protection Prisoners](https://justus/intranet/prison-operations/Pages/prison-copps.aspx), [COPP 4.11 – Special Handling Unit](https://justus/intranet/prison-operations/Pages/prison-copps.aspx) and [COPP 10.5 – Prison Offences and Charges](https://justus/intranet/prison-operations/Pages/prison-copps.aspx), shall apply if either prisoner is placed in separate confinement for protection.

## Procedures

### Applications for inter-facility visits shall be completed on TOMS and processed in accordance with Assessment and Case Conference procedures.

### Either prisoner to the proposed visit may make an application to the Authorised Assistant Superintendent of the prison in which they are placed. The Case Conference Chairperson shall request reports from relevant staff and a brief memorandum from the Case Conference of the other prison involved (agreeing/disagreeing to the visit and indicating any relevant factors or restrictions). The Case Conference recommendation shall not be made prior to receiving this report.

### The decision slip from the initiating prison shall contain as a minimum requirement, the frequency of the visits and may be approved as a “one off” or during Individual Management Plan (IMP) reviews, unless circumstances warrant special consideration for an increase.

### The Case Conference shall monitor, review and report on the progress of regular visits to the Superintendent by record in the Case Conference minutes and report any incidents on TOMS in accordance with [COPP 13.1 – Incident Reporting and Notifications](https://justus/intranet/prison-operations/Pages/prison-copps.aspx).

### A prisoner transferred to another prison shall have their request for regular visits reviewed by the Superintendent and Case Conference at that prison.

### The Case Conference Chairperson shall inform the other prison of the outcome of the application on TOMS and advise of any changes/variations to the original recommendation.

### The TOMS decision slip shall accompany the prisoner for each visit. A copy of the form shall be forwarded, kept on the prisoner’s management file, and managed in accordance with records management processes.

## Consideration and approvals

### Inter-facility visits applications shall be considered by the Case Conference and approved by the following:

* + 1. Assistant Superintendent – prisoners who are rated medium security or lower (except those prisoners undergoing strict security life imprisonment, strict custody or safe custody), are subject to the mutual agreement of the Assistant Superintendent of the receiving prison
		2. Superintendent – other approvals, e.g. maximum security prisoners (except prisoners undergoing strict security life imprisonment, strict custody or safe custody), are subject to the mutual agreement of the Superintendent of the receiving prison.

## Appeals

### The prisoner who is the applicant, has the right of one appeal against the decision. The prisoner wishing to appeal the decision shall do so with the assistance of the relevant unit prison staff.

### The Superintendent shall consider decisions made by the Assistant Superintendent. The Assistant Commissioner Adult Male Prisons/ Women and Young People shall consider decisions made by the Superintendent.

### The Superintendent or Assistant Commissioner’s final decision shall be communicated to the prisoner via the relevant unit prison staff.

# Video link and E-visits

## Eligibility

### Video link and e-visits are available for:

* + 1. social visitors
		2. other prisoners via inter/intra-prison visits.

### Prisoners who have family and friends in distant locations shall be encouraged to use video link and e-visits. These prisoners shall be given priority over prisoners who are able to receive visits in person.

### Video link and e-visits are only available to approved visitors listed on TOMS. The verification and authorisation process is detailed in [section 4](#_Visitor_Procedures).

### The Superintendent may specify the number of video link and e-visits available to prisoners within the relevant Standing Order.

### Prisoners shall have access to video link and e-visits in accordance with their current management regime.

### The Superintendent can authorise an additional or ad hoc video link and e-visit where exceptional circumstances apply (e.g., communication with a dangerously ill person).

### Visitors who are banned from visits or telephone contact are not eligible for video link and e-visits over the banned period.

## Booking process

### E-visits from family and friends shall be arranged by appointment in accordance with the [Department of Justice webpage](https://www.wa.gov.au/service/justice/criminal-law/visiting-prisons-or-detention-centre), at least 24 hours prior to the scheduled visit time.

### The Superintendent shall ensure the secure operation and security of the E-Visits account. The Visit Officers shall factor in the availability of rooms and resources to facilitate e-visits.

### Prisoners may apply for an e-visit on behalf of an international/interstate/ remote intrastate visitor by completing the Video link and E-Visits Booking Form. Where required, unit staff shall provide prisoners assistance with completing the form.

### An Officer/Security shall contact the visitor to provide them with the Visitor Identification Form to comply with section 3.1.4 and section 4 of this COPP.

### Officers assessing inter-facility video link and e-visits must consider [section 5](#_Inter-prison_visits).

### Unit staff shall notify the prisoner of the decision regarding their application. If the visit is not approved, the prisoner shall be provided with the reasons for the decision. Appropriate support shall be provided to the prisoner.

### If the e-visit is approved, staff shall contact the visitor(s) to confirm the appointment date and time. The visitor(s) shall be informed they shall be required to confirm their identity when the call is established. The visitor(s) shall also be informed they must comply with [Appendix A: Visitor Code of Conduct](#_Appendix_B:_Visitor) and [Appendix B: Visitor Dress Standards](#_Appendix_C:_Visitor).

### The Superintendent may provide an appeal process within their Standing Order that outlines the process by which the application is submitted to the next level delegated authority from the original decision maker.

### All e-visit requests and bookings shall be recorded on TOMS.

### Where possible, the time of the e-visit must occur within the normal visit times for that prison (refer to [Prison Rule 3](https://justus/intranet/prison-operations/Pages/acr-list.aspx)). The Superintendent may approve visits outside of these times, especially in the case for interstate and international calls or emergencies (i.e., different time zones).

## No connection

### If no connection can be established including the visitor not opening the required application or not answering when the connection is requested, then this e-visit shall be recorded as a ‘DNO – Did not occur’ in the Visits Module on TOMS and the prisoner shall be returned to the unit. The e-visit can be rescheduled for a future date and time.

## Costs

### Prisoners shall not be charged for an e-visit and video link under the following circumstances:

* + 1. where a visitor lives in a distant location and is unable to attend a social visit at the prison
		2. suspension of social visits as a result of an emergency event such as a pandemic.

### Superintendents shall consider charging prisoners for an e-visit when the prisoner can access an in-person social visit with the same person. This should be charged at the same cost as a phone call.

### Staff shall ensure that prisoners have adequate funds within their gratuities account to afford the video link and e-visit when required to pay.

## Supervision

### Superintendents shall ensure the security for facilitating video link and e-visit sessions is maintained. The Superintendent may include security processes within their Standing Orders which shall include processes for when searches of the room and checks of the equipment shall occur. The searches and checks shall be recorded on TOMS.

### Staff supervising video link and e-visits must verify the identity, consent, and details of any external party. For social visits, staff shall advise the external party that the call is going to be monitored.

### Staff shall remotely establish an e-visit session with the visitor. If the prison is not engaging the remote-control functionality, then they must initiate the contact and remove the keyboard and mouse from the visit room.

### Staff must ensure that prisoners do not operate any part of the equipment used for the video link and e-visit, with the exception of volume control on the speakers.

### Staff shall ensure that the e-visit call remains in the same room the call originated, there is to be no movement around other areas and only approved visitors are to be in the room.

### Staff must immediately terminate the visit if the participants breach the conditions of the e-visit, including those detailed within [Appendix A: Visitor Code of Conduct](#_Appendix_B:_Visitor) and [Appendix B: Visitor Dress Standards](#_Appendix_C:_Visitor).

# Visits to Prisoners at External Facilities (e.g. Hospitals)

### Visits to external facilities shall be booked through the prison in which the prisoner is originally from. The Superintendent shall approve the visits and inform the Supervising Officers.

### New visitors shall report to the prison in which the prisoner is originally from to have their identification checked (refer to [section 4.1](#_Visitor_Identification)), except in exceptional circumstances.

### When the visitor arrives for the booked visit, they must bring photographic ID to enable the Escort Officers on the hospital sit to verify the visitor’s identity.

# Visits to Prisoners in the Prison Infirmary

### In the case of a visit to a prisoner who cannot leave the infirmary, the visitor(s) shall be escorted to the infirmary where the visit shall take place.

### Visit staff shall ensure that there is an adequate number of Officers to properly supervise the visit, before it takes place.

# Additional Requirements

## Visitor concerns relating to a prisoner’s safety and wellbeing

### The Superintendent/OIC shall ensure posters and brochures detailing how families and friends may raise concerns about the safety and wellbeing of the prisoner are displayed in visit areas and at visitors point of entry.

### Prison officers shall ensure they are familiar with the process of raising concerns to be able to provide guidance to families and friends.

### Prison staff shall advise the Superintendent/OIC of any verbal concerns raised by any visitor regarding a prisoner at-risk of self-harm (refer [At Risk Management System Manual](http://justus/intranet/prison-operations/Documents/arms-manual.docx)), bullying, victimisation, concerns for safety etc. The concern shall be documented on TOMS and actioned accordingly.

## Visitor complaints

### The Superintendent ensure signage is placed in visit areas detailing the process for family/friends of prisoners to contact the Department of any complaints in relation to a prisoner, staff member or service.

## Amendments to Visit Times

### The Superintendent shall forward a request to amend visit times via the [Operational Policy Feedback Form](https://justus/applications/OPFeedback/Lists/OPFeedback/NewForm.aspx).

### Amendments to visit times shall be approved by the Commissioner, prior to updating [Prison Rule 3](https://justus/intranet/prison-operations/Pages/acr-list.aspx) and publishing on the Department’s website.

# Standing Orders

### Each prison may establish a Standing Order to include the:

* + 1. creation of the Case Conference team for the purpose of Inter-Facility Visits
		2. process for booking a visit
		3. specific requirements for e-visits:
* number of e-visits available to prisoners
* E-visit duration
* Officer’s responsible for e-visits
* cost (i.e., only implemented for international visits etc.)
* appeal process
* security process (i.e., searches and checks of equipment)
	+ 1. visit procedures for specific units, e.g., prison infirmary, Special Handling Unit (SHU)
		2. process for intra-prison visits, where applicable
		3. exceptions to ID requirements (i.e., for ex-prisoners)
		4. additional guidance for dress standards including prison posters
		5. procedure for answering, documenting, and actioning phone calls for family/friends who raise concerns about a prisoner’s safety and wellbeing.
		6. visitor access to prison facilities (i.e., toilets).

# Annexures

## Related COPPs

* [COPP 2.3 – Assessments and Sentence Management](https://justus/intranet/prison-operations/Pages/prison-copps.aspx)
* [COPP 4.3 – Female Prisoners](https://justus/intranet/prison-operations/Pages/prison-copps.aspx)
* [COPP 4.10 – Protection Prisoners](https://justus/intranet/prison-operations/Pages/prison-copps.aspx)
* [COPP 4.11 – Special Handling Unit](https://justus/intranet/prison-operations/Pages/prison-copps.aspx)
* [COPP 7.4 – Visitor Restrictions and Bans](https://justus/intranet/prison-operations/Pages/prison-copps.aspx)
* [COPP 10.1 – Prisoner Behaviour Management](https://justus/intranet/prison-operations/Pages/prison-copps.aspx)
* [COPP 10.5 – Prisoner Offences and Charges](https://justus/intranet/prison-operations/Pages/prison-copps.aspx)
* [COPP 11.2 – Searching](https://justus/intranet/prison-operations/Pages/prison-copps.aspx)
* [COPP 12.4 – Prisoner Transfers](https://justus/intranet/prison-operations/Pages/prison-copps.aspx)
* [COPP 13.1 – Incident Reporting and Notifications](https://justus/intranet/prison-operations/Pages/prison-copps.aspx)

## Related documents

* [Prison Rule 3 Visit Times](https://justus/intranet/prison-operations/Pages/acr-list.aspx)
* [At Risk Management System Manual](http://justus/intranet/prison-operations/Documents/arms-manual.docx)

## Definitions and acronyms

|  |  |
| --- | --- |
| Term | Definition  |
| ANCOR | Australian National Child (sex) Offender Register managed by the Western Australian Police Force |
| Assistant Superintendent | The Assistant Superintendent (or in the case of privately operated prisons, the relevant Assistant Director) of the prison whose responsibilities include prisoner management.  |
| At-Risk Management System (ARMS) | The At-Risk Management System is the Department’s multi-disciplinary suicide prevention strategy for offenders. The tri-level system includes Primary prevention – strategies to create physical and social environments in the prison that limits stress on prisoners. Secondary prevention – strategies to support prisoners at statistically higher risk of self-harm or suicide. Tertiary prevention – strategies aimed directly at individuals identified as at risk of self-harm or suicide |
| Case Conference | A formal meeting convened to discuss a prisoner’s assessment documentation including Initial and subsequent IMP Reviews. Special Case Conferences can also be called when there are particular concerns about a prisoner’s behaviour or circumstances. |
| Commissioner’s Operating Policy and Procedure (COPP) | Operational Instruments that provide instructions to staff on how the relevant legislative requirements are implemented. |
| Current (in relation to supplying identification- section 4) | The ID Document has not expired in time |
| E-Visit | A visit facilitated electronically by a computer, laptop or tablet (e.g. team, Skype or similar) that specialises in providing video conversations and the audio component of a video session. Generally utilised for prisoners as an alternative to a physical social visit.  |
| Guiding Principles for Corrections in Australia, 2018  | The guidelines and the accompanying principles constitute outcomes or goals to be achieved, rather than a set of absolute standards or laws to be enforced. They represent a statement of intent that each Australian State and Territory can use to develop their own range of relevant legislative policy and performance standards to reflect best practice and community demands. |
| Inter-Facility Visit | A visit between two prisoners who reside in different prisons.  |
| Intra-Facility Visit | A visit between two prisoners who reside in different areas of the same prison.  |
| Officer in Charge (OIC) | As defined in s. 3(1) of the [*Prisons Act 1981*](http://www.slp.wa.gov.au/legislation/statutes.nsf/main_mrtitle_751_homepage.html) and refers to either the designated Superintendent or the Officer in charge of a prison at a particular time.Also includes any contract worker authorised by the Commissioner in accordance with s. 15I (1) (a) of the [*Prisons Act 1981*](http://www.slp.wa.gov.au/legislation/statutes.nsf/main_mrtitle_751_homepage.html)to perform the functions of a superintendent in a privately operated prison. |
| Prisoner | Any person in lawful custody and referred to as a prisoner in s. 3 of the [*Prisons Act 1981*](http://www.slp.wa.gov.au/legislation/statutes.nsf/main_mrtitle_751_homepage.html); also includes a person not yet in the custody of a prison, but in the custody of a Contractor under the court security and custodial services contract |
| Prison Officer | A person engaged or deemed to have been engaged to be a prison Officer under s. 13 of the [*Prisons Act 1981*](http://www.slp.wa.gov.au/legislation/statutes.nsf/main_mrtitle_751_homepage.html)*.* |
| Protected person | A person who has been granted protection under and within the terms of a restraining order. |
| Respondent | A person against whom a restraining order was sought and made. |
| Restraining Order | Means a Violence Restraining Order Family Violence Restraining or Misconduct Restraining Order made under the [*Restraining Orders Act 1997*](http://www.slp.wa.gov.au/legislation/statutes.nsf/main_mrtitle_822_homepage.html) |
| Staff | All persons employed by the Department of Justice, Corrective Services. Also includes all contract workers authorised by the Commissioner in accordance with s. 15I (1) of the *Prisons Act 1981* to perform a function |
| Superintendent | The Superintendent as defined in s. 36 of the [*Prisons Act 1981*](http://www.slp.wa.gov.au/legislation/statutes.nsf/main_mrtitle_751_homepage.html) 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) | An electronic database used by the Department of Justice, Corrective Services to record and manage comprehensive information relating to prisoners. |
| Video link | A visit that is conducted between two or more participants at different sites by using computer networks to transmit audio and video data. |
| Visitor | A person who wish to visit or have access to and speak to a prisoner under s. 59 of the [*Prisons Act 1981*](http://www.slp.wa.gov.au/legislation/statutes.nsf/main_mrtitle_751_homepage.html). |

## Related legislation

* *Prisons Act 1981*
* *Prisons Regulations 1982*
* *Violence Restraining Act 1997*

# Assurance

It is expected that:

* Prisons shall undertake local compliance in accordance with the [Compliance Manual.](https://justus/intranet/department/standards/Pages/monitoring.aspx)
* The relevant Deputy Commissioner shall ensure that management oversight occurs as required.
* Operational Compliance Branch shall undertake checks in accordance with the [Operational Compliance Framework](https://justus/intranet/department/standards/Pages/monitoring.aspx).
* Independent oversight shall be undertaken as required.

# Document Version History

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Version  | Primary author(s) | Description of version | Date completed | Effective date |
| 1.0 | Operational Policy | Approved by DirectorOperational Projects, Policy, Compliance and Contracts | 7 October 2021 | 8 November 2021 |
| 2.0 | Operational Policy | Approved by the DirectorOperational Policy, Compliance and Contracts | 1 December 2022 | 1 December 2022 |
| 3.0 | Operational Policy | Approved by the Commissioner | 7 December 2022 | 14 December 2022 |
| 4.0 | Operational Policy | Approved by the A/Director Operational Policy, Compliance and Contracts | 28 March 2023 | 28 March 2023 |
| 5.0 | Operational Policy | Approved by the A/Director Operational Policy, Compliance and Contracts | 20 April 2023 | 20 April 2023 |
| 6.0 | Operational Policy | Scheduled/Unscheduled Review Approved by the Commissioner | 11 October 2023 | 12 October 2023 |
| V6.0 Content Manager reference: S23/47742 |
| V6.0 Memo reference: D23/612532 |

Appendix A: Visitor Code of Conduct

When participating in visits, visitors and prisoners need to maintain an acceptable standard of behaviour. This ensures that everyone can enjoy the privilege of visits. The following rules apply to all visits:

* + 1. visits staff shall allocate an area of the visit’s facility for each prisoner and their visitors
		2. movement by visitors around the defined visits facility must be kept to a minimum
		3. visits staff shall determine the allocation of any provided tables and chairs. Visits tables and chairs are not to be moved
		4. prisoners and visitors may sit on any chair at their allocated table
		5. a greeting and goodbye embrace and kiss are acceptable. Prisoners and visitors may hold hands during the visit
		6. other physical contact such as prolonged or frequent touching and kissing which is deemed to be inappropriate by prison staff shall not be permitted and may result in termination of the visit
		7. lewd, inappropriate, or offensive behaviour shall result in the termination of the visit
		8. abusive language or behaviour shall result in the termination of the visit
		9. except where the Superintendent directs otherwise, children may sit on the visitor’s or prisoner's lap
		10. children are to be under the control of an accompanying adult visitor at all times
		11. visitors are to comply with the requirements of [Appendix C – Visitor Dress Standards](#_Appendix_C:_Visitor)
		12. smoking is not permitted
		13. no documents are to be signed during visits without appropriate prison approval
		14. no articles of any description, unless approved by prior arrangement, are to be passed between prisoners and visitors
		15. where facilities are provided, only prisoners are allowed to obtain hot or cold drinks for themselves or their visitors
		16. all non-consumed food items are to be removed from the visit’s facility by the visitor
		17. at the completion of the visit, prisoners are to clean their respective tables or allocated area and put away any toys and books used by their children
		18. E-Visits shall remain in the same room the call originated in, no movement is permitted around other areas
		19. Only approved and booked visitors are to participate in E-Visits, no additional persons are to interrupt the visit session.

Failure to comply with any of the above may result in the refusal of entry to the prison, termination of the visit, loss of contact and or E-Visits or a ban from the prison.

Appendix B: Visitor Dress Standards

**Minimum standards**

Social visitors are expected to dress appropriately and be fully clothed for the prison environment in order to preserve the good order and security of the prison and the safety of visitors. Visitors entering a prison must wear underwear and footwear with pants and skirts/dresses being no shorter than mid-thigh.

**Inappropriate clothing**

The following items, as examples, are regarded as inappropriate clothing for the prison visits environment:

* + 1. any clothing that contains offensive or suggestive logos, words or slogans
		2. sexually provocative tight clothing or clothing that exposes underwear, midriff area, genital areas or breasts including:

see-through, sheer, or mesh clothing (other than hosiery)

low cut tops

* + 1. badly deteriorating footwear
		2. clothes that are excessively torn, ripped or frayed
		3. underwear that is visible through clothing
		4. steel capped boots
		5. money belts or belts with compartments
		6. headwear including hats or beanies (except religious or cultural headwear)
		7. excessive jewellery
		8. swimsuits
		9. watches other than analogue
		10. hi-visibility clothing (typically worn by contractors)
		11. motorcycle gang ‘colours’ or clothing with gang insignias.

The above list is not exhaustive. Any queries in relation to appropriate clothing should be discussed with the Security Manager of the facility.

Visitors who do not meet an appropriate standard of dress shall be denied entry into visits or asked to rectify their standard of dress.

**Exemptions**

Exemptions may be permitted only for legitimate cultural, religious or medical reasons or at the discretion of the Security Manager.

1. s.59 *Prisons Act 1981* [↑](#footnote-ref-1)
2. s.59(2) *Prisons Act 1981* [↑](#footnote-ref-2)
3. s.59 *Prisons Act 1981* [↑](#footnote-ref-3)
4. r.56b *Prisons Regulations 1982* [↑](#footnote-ref-4)
5. r.52(a) and (b) *Prisons Regulations 1982* [↑](#footnote-ref-5)
6. r.53(3) *Prisons Regulations 1982* [↑](#footnote-ref-6)
7. s.60 *Prisons Act 1981* and r 53A *Prisons Regulations 1982* [↑](#footnote-ref-7)