COPP 8.7 External Activities

Prison

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| PrinciplesAs referenced in the [Guiding Principles for Corrections Australia 2018](https://dojwa.sharepoint.com/sites/intranet/department/standards/Pages/ops-standards.aspx)*:*5.3.3 Eligible and suitable prisoners/offenders are provided meaningful opportunities to engage in community work and projects that assist in developing or utilising existing skills necessary to gain employment and contribute to the community. 5.4.1 Public protection and prisoner/offender rehabilitation and reintegration is enhanced through effective partnerships with internal and external stakeholders. 5.4.2 Consultation and involvement with the local community promotes public awareness and supports prisoner/offender participation in community work and projects.5.4.4 Meaningful community partnerships are developed and maintained with Aboriginal and Torres Strait Islander organisations, Elders, other respected persons, and the broader community to support the successful reconnection and reintegration with their community. |

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# Scope

The Commissioner’s Operating Policy and Procedures (COPP) applies to all public and private prisons and associated work camps administered by or on behalf of the Department of Justice (the Department).

# Policy

Prisoners are permitted to be absent from a prison to participate in approved services and programs (external activities) for their wellbeing and rehabilitation[[1]](#footnote-1). Prisoners participating in approved external activities must be approved and issued an Absence Permit[[2]](#footnote-2) as per [COPP 14.5 – Authorised Absences and Absence Permits](https://dojwa.sharepoint.com/sites/intranet/prison-operations/Pages/prison-copps.aspx) prior to their absence from prison.

All external activities, outside a prison or work camp, shall be approved by the Assistant Commissioner Adult Custodial Operations prior to prisoners being engaged in such activities.

Each prison shall develop a schedule of planned and approved external activities (ie work, leisure, and recreational activities), in consultation with the relevant areas of the Department, internal/external agencies or community group. External activities include, but are not limited to the following:

1. community work – maintenance, clean ups, building restorations and project work
2. charitable or voluntary work
3. the maintenance of community assets and relationships
4. work associated with the prison or the Department generally
5. leisure or recreation
6. religious observance – attendance at places of worship
7. education and employment activities not included in [COPP 8.2 – Prisoner Employment Program](https://dojwa.sharepoint.com/sites/intranet/prison-operations/Pages/prison-copps.aspx) or one-off absences, short education or vocational courses of less than 4 weeks duration, and career or employment expos.

Prisoners placed at work camps as per [COPP 8.6 – Work Camps](https://dojwa.sharepoint.com/sites/intranet/prison-operations/Pages/prison-copps.aspx) shall be assessed for participation in unsupervised external activities, following approved assessment and participation in supervised activities.

Where a prisoner displays prohibited insignia that may be seen in public the prison should remind the prisoner of their obligations to cover the prohibited insignia[[3]](#footnote-3).

The prison, where appropriate should assist the prisoner by providing options to hide the insignia, such as provision of band-aids or makeup to hide the prohibited insignia where such items cannot be accessed by the prisoner.

# Approving External Activities

## Application for approval of a proposed external activity

### Information regarding a proposed external activity may be received from community groups, other organisations, or departmental staff through the provision of a written submission to the Superintendent of the prison.

### Where the external activity being proposed is a community work project as per [section 4](#_Community_Work_Projects), the organisation or community group is required to complete a [Project Nomination Form](https://www.wa.gov.au/organisation/department-of-justice/corrective-services/work-camps) on the Department of Justice website. Generally, priority shall be given to work associated with community, charitable or voluntary projects that provide skill building opportunities.

### For prisons where no secure perimeter is present, all activities on gazetted prison property require an assessment of the risks.

### External activities associated with Home Leave shall be assessed and managed as per [COPP 14.2 – Home Leave](https://dojwa.sharepoint.com/sites/intranet/prison-operations/Pages/prison-copps.aspx).

### Prisoners placed at work camps shall be assessed and approved for participation in external activities as per this COPP and [COPP 8.6 – Work Camps.](https://dojwa.sharepoint.com/sites/intranet/prison-operations/Pages/prison-copps.aspx)

## Assessing a proposed external activity

### The Authorised Assistant Superintendent shall commence assessment of the external activity request by completing the [External Activity Application.](https://dojwa.sharepoint.com/sites/intranet/prison-operations/Pages/copp-forms.aspx)

### Where the external activity involves attendance at educational and/or vocational training, endorsement shall be sought from the Director Prisoner Education, Training and Employment.

### The Superintendent shall review the external activity request and determine whether the application shall be recommended to the relevant Assistant Commissioner for approval.

### Assessment of proposed external activities shall consider:

1. the safety of the community, staff and prisoners participating in the external activity, including the presence of children and if any mitigating factors exist
2. the nature of the activity and whether the activity achieves the intent of s.95 of the [*Prisons Act 1981*](https://justus/communities/health-services/Clinicians/Documents/Prisons%20Act%201981.pdf)
3. the expected number of prisoners involved in the activity, the level of supervision required and the required expertise of the Supervising Officer(s)
4. the suitability of the external activity location
5. community and political expectations
6. the skills required for the external activity and the skills of the prisoners participating
7. contingency plans for emergency cancellation of the external activity
8. confirmed and current Public Liability Insurance as per [section 13](#_Public_Liability_Insurance)
9. external activities involving swimming or access to bodies of water shall only be considered if:
	* the area is known to be a safe swimming area
	* the Supervising Officer holds a current Senior First Aid qualification
	* essential equipment is available, with the minimum requirement being a telephone, satellite phone or radio, a first aid kit and a rescue device
	* the Supervising Officer to prisoner ratios are appropriate, as approved by the Superintendent.
10. overnight accommodation, which requires the following considerations:
	* why daily transport to and from the prison or work camp is impractical or inefficient
	* what accommodation facilities are available
	* the location of the accommodation
	* what logistic support and supervision is available
	* the safety of supervising staff
	* potential victim issues and community perception.

### The Superintendent, on recommending the external activity shall email the [External Activity Application](https://dojwa.sharepoint.com/sites/intranet/prison-operations/Pages/copp-forms.aspx) to the relevant Assistant Commissioner for consideration.

### Upon receiving a decision, the Superintendent shall ensure the community group, organisation and/or Department staff are notified of the approval/non-approval in writing.

## Approval of proposed external activity

### In determining approval, the relevant Assistant Commissioner shall be satisfied the external activity will facilitate the achievement of one or more of the prescribed purposes, necessary for a prisoner to be granted an Absence Permit[[4]](#footnote-4) as per [COPP 14.5 – Authorised Absences and Absence Permits](https://dojwa.sharepoint.com/sites/intranet/prison-operations/Pages/prison-copps.aspx).

### The relevant Assistant Commissioner shall further consider the safety and interest of the public, which includes:

1. the risk to any individual or the public
2. potential negative public perception, which may involve adverse media attention, or cause undue controversy
3. whether the external activity is specific to individual locations
4. whether children may be present at the time of the external activity. Prisoners shall not have access to premises at times where children may be, unless satisfied that mitigating strategies are in place.

### The relevant Assistant Commissioner must be satisfied accommodation poses minimal risk to the community where an external activity requires prisoners to be accommodated overnight.

### The relevant Assistant Commissioner shall detail and endorse their decision on the [External Activity Application](https://dojwa.sharepoint.com/sites/intranet/prison-operations/Pages/copp-forms.aspx) and advise the Superintendent of their decision. A copy of the form shall be sent to the prison for their records.

### The Superintendent shall ensure procedures are in place to inform prisoners and officers of approved external activities.

### Where approved, a copy of the form shall be provided to the external activity location to ensure dissemination of any approved conditions. Adult Male Prisons Administration shall ensure the prison’s approved external activity list is updated on JustUs.

### Activities considered to be a Prisoner Employment Program (PEP) activity, shall be considered as per [COPP 8.2 – Prisoner Employment Program.](https://dojwa.sharepoint.com/sites/intranet/prison-operations/Pages/prison-copps.aspx)

## Exempt activities

### Any activity associated with the operations of the prison, located on gazetted prison property, shall be exempt from an external activity assessment. An [Activity Exemption Request](https://dojwa.sharepoint.com/sites/intranet/prison-operations/Pages/copp-forms.aspx) form shall be required to be completed by the prison and approved by the relevant Assistant Commissioner.

### Prisoners shall be assessed for participation in an exempted activity by completing a [Prisoner Suitability for Exempt Activities](https://dojwa.sharepoint.com/sites/intranet/prison-operations/Pages/copp-forms.aspx) form.

### Eligibility to participate in an exempt activity will be in accordance with section 5 and 6.2 of this COPP. This excludes the following prisoners who may be approved by the Superintendent to participate in an exempt activity:

1. prisoners liable for an order under the [*High Risk Serious Offenders Act 2020*](https://www.legislation.wa.gov.au/legislation/statutes.nsf/law_s52638_currencies.html)[[5]](#footnote-5)who have not successfully completed their treatment programs
2. prisoners who have a current offence in the category of ‘highest’ on the Offence Severity Scale as per the [Sentence Management Manual.](https://dojwa.sharepoint.com/sites/intranet/prison-operations/Pages/sentence-management.aspx)

### The Superintendent may nominate an authorised person in their Standing Order to approve prisoners to participate in an exempted activity. The authorised person has the same approving authority as the Superintendent with the exception of prisoners under section 3.4.3 a).

### The Superintendent shall ensure annual reviews of prisoner suitability is conducted.

### Where a prison has added or removed an activity that is exempt from assessment, they shall email Adult Male Prisons Administration, who shall ensure the approved external activities list is updated on JustUs.

## Review of an approved external activity

### The Superintendent shall ensure all approved external activities are reviewed annually by completing the [External Activity Review](https://dojwa.sharepoint.com/sites/intranet/prison-operations/Pages/copp-forms.aspx) to ensure:

1. tasks conducted by prisoners comply with the approval provided
2. currency of the activity management’s contact details
3. the activity’s Certificate of Currency for Public Liability Insurance remains current or valid for the duration of the activity
4. the approved external activity remains suitable.

### The Superintendent shall cancel prisoners’ attendance if it is identified the approved external activity is no longer suitable to the intent of [s.95 of the *Prisons Act 1981*.](https://justus/communities/health-services/Clinicians/Documents/Prisons%20Act%201981.pdf)

# Community Work Projects

## General requirements

### Once an external activity location has been approved, further community work projects at that location may be approved.

### Generally, community work projects should:

1. provide maximum benefit to the community through improving infrastructure and assets
2. be projects that would not be completed through any other means due to lack of community resources, funding, or volunteers
3. be a not-for-profit community organisation
4. be highly visible and used by the local community and tourists alike
5. be skill-based and provide prisoners with links to formal training, accreditation, and/or prospective employment, where possible.

### Community work projects should generally fall into one of the following categories:

1. environmental – tree planting, salinity control, coastal regeneration, eradication of non-indigenous vegetation and elimination control of fire hazards
2. recreation/tourism – maintenance and development of national park infrastructure, natural reserves, tourist parks and rest areas, including the construction of trails, footbridges, information shelters, BBQ’s, and picnic facilities
3. heritage – maintenance and restoration of heritage sites and buildings of significant historical value, including pioneer cemeteries and homesteads
4. small local community projects – ‘Tidy Town’ and street scaping projects, upgrading community facilities such as recreation halls and parks, and other construction of facilities and local sporting clubs.

### Community work projects considered unsuitable include:

1. projects that are provided through a shire’s rate base, such as footpaths, tip work, rubbish collection and maintenance of shire assets
2. environmental work already funded by the Department of Biodiversity, Conservation and Attractions or the Department of Water and Environmental Regulation
3. work for individuals or commercial operations
4. work that takes employment away from existing employees or impacts on other government employment programs
5. work that does not give prisoners useful employment skills
6. work, where prisoners may have authorised access to the internet, such as community telecentres (unless supervised at all times).

### Prisoners may be involved in work that may not provide useful employment skills when it is part of a whole of community effort, such as ‘Clean up Australia Day’, assistance after natural disasters, or community ‘busy bees’.

## Approval and feedback

### All proposed community work projects shall require the community organisation to complete a [Project Nomination Form](https://www.wa.gov.au/organisation/department-of-justice/corrective-services/work-camps) on the Department of Justice website. Once completed, the form shall be forwarded to the Superintendent to consider the project.

### When considering an application, the Superintendent shall ascertain if the proposed community work project shall be conducted within the constraints of an approved external activity.

### The Superintendent shall ensure Adult Male Prisons Administration is notified of the location and type of external activity approved so it is entered on the Approved External Activities List published on JustUs.

### All approved community work projects shall be reviewed annually, to ensure continued suitability of the work. The Superintendent shall ensure a new [Project Nomination Form](https://www.wa.gov.au/organisation/department-of-justice/corrective-services/work-camps) is completed by the community group if there are any changes.

### Each community group shall provide proof of Public Liability Insurance prior to commencement of any community work project.

### On completion of a community work project, the Superintendent shall ensure the community group is referred to the Project Feedback Form on the Department of Justice website, to provide feedback on the level of satisfaction with the quality and timeliness of the project.

# External Activity Eligibility Criteria

## Prisoners eligible to participate

### External activities may be approved for a sentenced prisoner who has achieved a minimum-security rating and is placed at the external activity home prison.

### A prisoner sentenced to a life term or indefinite imprisonment is only eligible to participate in external activities as a component of an approved Re-Socialisation Program,[[6]](#footnote-6) as per [COPP 14.3 – Re-Socialisation Program](https://dojwa.sharepoint.com/sites/intranet/prison-operations/Pages/prison-copps.aspx)s.

### Prisoners liable for an order under the [*High Risk Serious Offenders Act 2020*](https://www.legislation.wa.gov.au/legislation/statutes.nsf/law_s52638_currencies.html)[[7]](#footnote-7) are only eligible for consideration for external activities following successful completion of all recommended treatment programs.

### Prisoners subject to, or under consideration for a continuing detention order made under the [*High Risk Serious Offenders Act 2020*](https://www.legislation.wa.gov.au/legislation/statutes.nsf/law_s52638_currencies.html)[[8]](#footnote-8), can only be considered by the Relevant Assistant Commissioner.

### Prisoners who have a current offence in the category of ‘highest’ on the Offence Severity Scale as per the [Sentence Management Manual](https://dojwa.sharepoint.com/sites/intranet/prison-operations/Pages/sentence-management.aspx), can only be approved by the relevant Assistant Commissioner.

### Prisoners who have successfully attended supervised external activities on 10 separate days, may be assessed and approved for participation in unsupervised external activities. Where applicable, the Authorised Assistant Superintendent shall make the recommendation.

## Prisoners ineligible to participate

### Prisoners shall not be considered for external activities who have:

1. a pending charge for a prison offence, under s70 of the *Prisons Act 1981*
2. been convicted of a prison offence, under s70 of the *Prisons Act 1981*, within the 3 months from the offence date prior to their application.

### Generally, prisoners shall not be considered for external activities who have:

1. a pending charge for a prison offence, under s69 of the *Prisons Act 1981*
2. been convicted of a prison offence, under s69 of the *Prisons Act 1981*, within 3 months from the offence date prior to their application.

### Generally, remand prisoners are ineligible for participation in external activities. An application for inclusion of remand prisoners in external activities must include sufficient justification to support the recommendation.

### Prisoners are ineligible for external activities where written advice has been received from a police force of the intention to seek extradition, or when a warrant relating to extradition has been issued by the court.

### Prisoners liable for or have a confirmed order of deportation or removal from Australia, are not eligible for external activities.

### The Superintendent shall forward advice to the relevant Assistant Commissioner, prior to a prisoner’s absence, who is subject to an order by Adult Community Corrections.

### A Criminal Law Mental Impaired (CLMI) prisoner is not eligible for external activities.

### The Mental Impairment Review Tribunal (the Tribunal) may grant a Leave of Absence Order[[9]](#footnote-9) for a CLMI prisoner to engage in treatment or training.

### Prisoners subject to an order by the Tribunal do not require to be further assessed as per this COPP. The Superintendent shall notify the relevant Assistant Commissioner of the Order, prior to the prisoner’s leave of absence.

# Application Process

### The Superintendent shall ensure prisoners are aware of the availability of external activities, and those who may be suitable, but have not initiated an application, are appropriately provided assistance to apply and be assessed for inclusion.

## Application considerations

### An officer authorised by the Superintendent (Authorised Officer) shall assess the suitability of a prisoner for external activities and complete the Suitability for External Activities or Work Camp checklist on TOMS.

### The Authorised Officer shall ensure all required prisoner assessments are completed and current (eg Management and Placement Checklist (MAP), Individual Management Plan (IMP), and Treatment Assessment Report, if applicable) prior to completing the suitability checklist.

### Where assessments are not completed, the Superintendent may still consider an application, if they believe the prisoner is disadvantaged because of delays in report completion or there are other extenuating circumstances.

### Prisoners shall be assessed by Health Services to determine their suitability to participate in nominated external activities, identifying any medical conditions or requirements that may prohibit participation.

### The Authorised Officer shall make a recommendation as to a prisoner’s suitability for participation, with the following provision of information:

1. victim issues and any related outstanding orders. Comment should include the likely proximity of any identified victims to the external activity location
2. previous performance on community supervision, Absence Permits, bail, or other external activity programs within the last 5 years
3. the nature of the prisoner’s offences
4. the prisoner’s participation and/or completion of recommended treatment programs
5. consideration of social supports and community contact
6. mental health or cognitive function issues, if known
7. prisoner management reports, including incidents, offender notes and loss of privileges
8. a prisoner’s attitude to a parole decision affecting their current period of imprisonment, where applicable
9. prison industry, education, and constructive activity reports
10. TOMS alerts
11. outstanding criminal charges
12. history of attempted or actual escapes
13. any other considerations that may affect the prisoner’s successful participation.

### The Authorised Officer shall forward the application to the relevant Assistant Superintendent who will make a recommendation and progress the application to the Superintendent for a decision.

## Assessing an application

### The Superintendent is the delegated approving authority for granting prisoners an absence permit to participate in external activities, with the exception of:

1. prisoners under consideration or detained under an order of the [*High Risk Serious Offenders Act 2020*](https://www.legislation.wa.gov.au/legislation/statutes.nsf/law_s52638_currencies.html)[[10]](#footnote-10)
2. prisoners who have a current offence in the category of ‘highest’ on the Offence Severity Scale as per the [Sentence Management Manual.](https://dojwa.sharepoint.com/sites/intranet/prison-operations/Pages/sentence-management.aspx)

### For prisoners who are the exception, the Approving Authority shall be as per [COPP 14.5 – Authorised Absences and Absence Permits](https://dojwa.sharepoint.com/sites/intranet/prison-operations/Pages/prison-copps.aspx). In these cases, the Superintendent shall consider and, deny or recommend the application and forward to the approving authority for their consideration.

### The Superintendent, or approving authority, in considering a prisoner’s suitability, may refer the application to Intelligence Services for intelligence assessment, if they have concerns about the safety and/or security of the prisoner and/or the community.

### The Superintendent, or approving authority, in approving the prisoner’s suitability, shall be satisfied the safety of the community, staff and prisoner, and any other identified risks associated with the prisoner’s approval have been addressed.

### The Superintendent, or approving authority, shall record their decision on TOMS (including comments to support their decision), arrange for the prisoner to be notified and an offender note entered on TOMS.

# Conditions of Participation

### The following standard conditions shall be imposed on a prisoner’s participation in external activities, unless otherwise determined as part of the approval process:

1. obey instructions from the Activity Coordinator or Supervising Officer
2. do not handle money
3. do not access mobile phones (except departmental mobile phones for the purpose of communication with the prison or emergency services refer to [COPP 8.2 Prisoner Employment Program](https://dojwa.sharepoint.com/sites/intranet/prison-operations/Pages/prison-copps.aspx))
4. do not access the internet
5. do not consume poppy seeds in any form
6. do not receive any visitors, unless the visitor has received prior approval
7. do not be in possession of, or consume alcohol
8. do not be in possession of, or consume drugs unless prescribed by a medical practitioner
9. adhere to the conditions of any applicable smoking policy where required
10. any other additional conditions as required

### The prisoner must confirm they understand and agree to the standard conditions expected of them and sign the [Prisoner Contract to Participate](https://dojwa.sharepoint.com/sites/intranet/prison-operations/Pages/copp-forms.aspx), prior to participation. This shall be documented as an offender note on TOMS.

### Failure to adhere to any of the above conditions may result in the prisoner’s participation being suspended or cancelled, or a prison charge[[11]](#footnote-11) being preferred.

# Prisoner Use of Motor Vehicles

### Prisoners may be permitted to operate a licensed/registered prison vehicle or mobile machinery as part of an approved external activity as per [COPP 11.6 – Vehicle Management](https://dojwa.sharepoint.com/sites/intranet/prison-operations/Pages/prison-copps.aspx).

### Supervising Officers shall confirm the prisoner is in possession of a valid and current driver’s license or holds the relevant license/qualification to operate mobile machinery, prior to their first use.

# Absence Permit

### All prisoners participating in external activities shall be recorded on the prison’s Transfer and Discharge (T&D) sheet and processed in the Gate Offender Movements Module, as a temporary placement.

### An Absence Permit for the purposes of external activities shall be via the T&D sheet and Offender Movement Information (OMI) sheet as per [COPP 12.2 – Coordination of Escorts](https://dojwa.sharepoint.com/sites/intranet/prison-operations/Pages/prison-copps.aspx) and approved by the Superintendent.

### An Absence Permit for the purpose of engaging in an external activity may provide for more than one absence.

# Visits and Communication with Prisoners

### Prisoners are not to receive visitors while at external activity locations, unless prior approval has been provided and the visit is as per [COPP 7.2 – Social Visits.](https://dojwa.sharepoint.com/sites/intranet/prison-operations/Pages/prison-copps.aspx)

### Where a person communicates, attempts to communicate, or is considered to be loitering in an area where prisoners are undertaking external activities, the Supervising Officer shall request the person leaves the area. The person may be warned that their conduct is an offence.[[12]](#footnote-12)

### Where a person refuses to leave the area the Supervising Officer shall segregate the prisoners from the person concerned and contact the Superintendent/Officer in Charge (OIC), if practicable, for advice and assistance.

### The Supervising Officer may cancel the external activity and return all prisoners to the prison.

### The Supervising Officer shall contact the WA Police Force Operations on 131 444 or emergency contact 000 to facilitate police attendance, if a person refuses to leave the area and poses an imminent threat to prisoners, staff, or the community.

### The Activity Coordinator shall contact the relevant prison for further instruction if a prisoner on an unsupervised external activity makes contact with a person without prior approval.

# Supervision and Review

## Monitoring

### There shall be at least 1 Supervising Officer for every 8 prisoners at any one supervised external activity, at any one location, at any time. Where the prisoner ratio is exceeded, approval from the Superintendent shall be sought prior to commencement of the activity.

### The Supervising Officer, prior to departing, shall ensure they have performed functionality checks on mobile phones and/or two-way radios being used while supervising an external activity.

### Supervising officers shall contact their prison:

1. when arriving at and departing an external activity
2. at regular intervals throughout the day as detailed in the Standing Order.

### The Authorised Officer shall ensure telephone and/or physical security checks are conducted for each prisoner undertaking unsupervised external activities, including enquiries regarding the prisoner(s) behaviour. The Superintendent shall detail in a Standing Order the frequency of these checks and where information obtained shall be recorded.

### Prisoners shall be searched as per [COPP 11.2 – Searching](https://dojwa.sharepoint.com/sites/intranet/prison-operations/Pages/prison-copps.aspx).

### Vehicles utilised in external activities shall be searched daily as per [COPP 11.2 – Searching](https://dojwa.sharepoint.com/sites/intranet/prison-operations/Pages/prison-copps.aspx).

### Prisoners shall be tested for the use of alcohol and illicit/non-prescribed drugs while participating in external activities as directed by the Superintendent in the Standing Order, and as per [COPP 10.4 – Prisoner Drug and Alcohol Testing.](https://dojwa.sharepoint.com/sites/intranet/prison-operations/Pages/prison-copps.aspx)

### Prisoner behaviour and conduct shall be monitored during external activities, with any relevant positive or negative behaviours recorded as an offender note on TOMS. This information provides evidence of the prisoner’s progression with the requirements of their IMP and informs regular contact reports as per [COPP 10.3 – Case Management.](https://dojwa.sharepoint.com/sites/intranet/prison-operations/Pages/prison-copps.aspx)

### If a Supervising Officer identifies a threat to the community, staff, or prisoners during an external activity, they shall immediately notify the Superintendent/OIC, cancel the external activity and return prisoners to the prison.

### Any reportable incident that occurs during an external activity shall be reported to the Superintendent/OIC and an Incident Report completed as per [COPP 13.1 – Incident Notifications, Reporting and Communications.](https://dojwa.sharepoint.com/sites/intranet/prison-operations/Pages/prison-copps.aspx)

## Assurance

### The Superintendent shall ensure the relevant officer(s) completes the [Officer’s Daily Checklist](https://dojwa.sharepoint.com/sites/intranet/prison-operations/Pages/copp-forms.aspx) at the end of each daily external activity.

### The completed [Officer’s Daily Checklist](https://dojwa.sharepoint.com/sites/intranet/prison-operations/Pages/copp-forms.aspx) shall be forwarded to the relevant Senior Officer/Supervisor.

### The Superintendent shall review the [Officer’s Daily checklist](https://dojwa.sharepoint.com/sites/intranet/prison-operations/Pages/copp-forms.aspx), and complete the [Superintendent’s Monthly Checklist](https://dojwa.sharepoint.com/sites/intranet/prison-operations/Pages/copp-forms.aspx), sending it to:

1. Adult Male Prisons: *cs-amp-operations@justice.wa.gov.au* and
2. Operational Compliance: *operationalcompliance@justice.wa.gov.au*.

## Review

### The Superintendent shall ensure an annual review is undertaken of every prisoner participating in supervised or unsupervised external activities, to determine their continued suitability.

### A suitability for External Activities or Work Camp checklist on TOMS shall be completed, as per the procedures required in a prisoner’s initial assessment and approval as per [section 6.](#_Application_Process)

# Suspension or Cancellation of External Activities

### A prisoner shall have their participation in external activities suspended, pending review, for the following reasons:

1. breach of a standard condition, or special conditions applied to the prisoner’s absence from prison, including conditions forming part of the prisoner’s Absence Permit
2. any actions of a prisoner which jeopardises the good order, management, and security of the prison
3. prisoner behaviour which breaches the condition of a Violence Restraining Order (VRO), or any condition imposed by the Victim Mediation Unit (VMU) or Victim Notification Registry (VNR)
4. Prisoner breaches an Unlawful Consorting Notice or any part of the *Criminal Law (Unlawful Consorting and Prohibited Insignia) Act 2021*
5. any new charge for a criminal or prison offence
6. any new conviction for a criminal or prison offence
7. any new charge or conviction for a traffic offence committed or alleged to have been committed when driving a motor vehicle
8. any information received from Intelligence Services that indicates a prisoner’s successful participation may be affected
9. any other reason directed by the Superintendent.

### The Superintendent or Authorised Officer shall arrange for a review of any incident or related circumstances, as soon as practicable following a suspension from an external activity and document on TOMS. This shall include a recommendation as to whether the prisoner’s participation in the external activities should be reinstated, suspended further or cancelled.

### The Superintendent or Authorised Officer shall ensure a review is undertaken of the prisoner’s suitability to continue to participate in external activities, where there is a change in the prisoner’s circumstances as per [COPP 2.3 – Assessments and Sentence Management](https://dojwa.sharepoint.com/sites/intranet/prison-operations/Pages/prison-copps.aspx).

# Public Liability Insurance

### Beneficiaries of work undertaken by external activities are required to hold current Public Liability Insurance, to cover all persons (Prisoners, Officers, Instructors, and tradesman) involved in the external activity.

### The relevant Assistant Superintendent shall sight a Certificate of Currency (requires to be current at time of review) prior to the request for approval of an external activity, as per [section 3.2](#_Assessing_a_proposed), and forward to the relevant Assistant Commissioner.

### In the event a community group wishes to nominate community work projects as per [section 4](#_External_Activity_Exemption), a copy of their Certificate of Currency must be included with each [Project Nomination Form](https://www.wa.gov.au/organisation/department-of-justice/corrective-services/work-camps). For community groups utilising prisoner labour on a regular basis, a Certificate of Currency need only be provided annually, or for the duration of the external activity.

### Each Prison shall hold current copies of Certificates of Currency for all approved external activities.

# Safe Work Practices

### The Department and its employees have a duty of care to prisoners during approved external activities. Prisoners are to be supervised as appropriate and not placed at risk from other prisoners or by their own actions.

### An initial orientation processes shall be conducted with each prisoner when commencing external activities and a refresher orientation conducted half yearly.

### Care of prisoners participating in external activities[[13]](#footnote-13) includes providing clear instructions and ensuring appropriate training has been conducted[[14]](#footnote-14). The provision and use of personal protective equipment shall be made as per [Occupational Safety and Health](https://dojwa.sharepoint.com/sites/intranet/human-resources/safety-health/Pages/default.aspx) requirements.

### Where the use of machinery and equipment has the potential to cause harm and is operated under the control of Corrective Services, [Safe Operating Procedures](https://dojwa.sharepoint.com/sites/intranet/human-resources/safety-health/Pages/default.aspx) must be followed.

### Where the use of chemicals or substances is required, a Material Safety Data Sheet (MSDS) must be provided and instructions followed; MSDS are available from [ChemAlert](https://dojwa.sharepoint.com/sites/intranet/human-resources/safety-health/Pages/default.aspx) on JustUs.

### In the case of an accident or injury whilst participating in an external activity, the prisoner must advise their Supervising Officer or Activity Coordinator as soon as practicable and assistance shall be provided as appropriate.

### The prisoner shall be assessed by a Departmental Medical Practitioner, if possible, on return from the external activity.

### The Supervising Officer shall complete an incident report, as per the Department’s [Hazard and Incident reporting procedures](https://dojwa.sharepoint.com/sites/intranet/human-resources/safety-health/Pages/osh-incidents-hazards.aspx), detailing:

1. details of the injury or incident/accident
2. incident/accident location and type of equipment involved if any
3. if other prisoners’ or employees were involved
4. if/where the injured person was taken and what medical attention was provided.

### A medical review and clearance shall be completed prior to the prisoner returning to the external activity.

# Record Keeping

### Any documentation or forms not available electronically (including signed application forms) are to be stored on the prisoner’s management and/or assessment files.

#  Standing Orders

### Superintendents may develop Standing Orders, compliant with this COPP as operationally required.

### Prisons requiring a standing order shall be compliant with [COPP 1.3 – Standing Orders](https://dojwa.sharepoint.com/sites/intranet/prison-operations/Pages/prison-copps.aspx) and the Departments [Operational Policy and Procedure Framework](https://dojwa.sharepoint.com/sites/intranet/department/standards/Pages/ops-standards.aspx).

### Standing Orders aligned with this COPP may include procedures for (but not limited to):

### external activity orientation

### Supervising Officer Responsibilities, including when to make contact with the prison

### the frequency telephone and/or physical security checks are conducted on prisoners undertaking unsupervised external activities and where this information is recorded

### the type and frequency in which drug and alcohol tests are conducted on prisoners undertaking external activities

### searching

# Annexures

## Related COPPs

* [COPP 2.3 – Assessments and Sentence Management](https://dojwa.sharepoint.com/sites/intranet/prison-operations/Pages/prison-copps.aspx)
* [COPP 7.2 – Social Visits](https://dojwa.sharepoint.com/sites/intranet/prison-operations/Pages/prison-copps.aspx)
* [COPP 8.2 – Prisoner Employment Program](https://dojwa.sharepoint.com/sites/intranet/prison-operations/Pages/prison-copps.aspx)
* [COPP 8.6 – Work Camps](https://dojwa.sharepoint.com/sites/intranet/prison-operations/Pages/prison-copps.aspx)
* [COPP 10.3 – Case Management](https://dojwa.sharepoint.com/sites/intranet/prison-operations/Pages/prison-copps.aspx)
* [COPP 10.4 – Prisoner Drug and Alcohol Testing](https://dojwa.sharepoint.com/sites/intranet/prison-operations/Pages/prison-copps.aspx)
* [COPP 11.2 – Searching](https://dojwa.sharepoint.com/sites/intranet/prison-operations/Pages/prison-copps.aspx)
* [COPP 11.6 – Vehicle Management](https://dojwa.sharepoint.com/sites/intranet/prison-operations/Pages/prison-copps.aspx)
* [COPP 12.2 – Coordination of Escorts](https://dojwa.sharepoint.com/sites/intranet/prison-operations/Pages/prison-copps.aspx)
* [COPP 13.1 – Incident Notifications, Reporting and Communication](https://dojwa.sharepoint.com/sites/intranet/prison-operations/Pages/prison-copps.aspx)
* [COPP 14.2 – Home Leave](https://dojwa.sharepoint.com/sites/intranet/prison-operations/Pages/prison-copps.aspx)
* [COPP 14.3 – Re-socialisation Programs](https://dojwa.sharepoint.com/sites/intranet/prison-operations/Pages/prison-copps.aspx)
* [COPP 14.5 – Authorised Absences and Absence Permits](https://dojwa.sharepoint.com/sites/intranet/prison-operations/Pages/prison-copps.aspx)

## Definitions and acronyms

|  |  |
| --- | --- |
| Term | Definition  |
| Absence Permit | The written document authorising a prisoner to be absent from a prison. A prisoner with a valid absence permit is deemed to be in lawful custody while absent from the prison.  |
| Activity Coordinator | The person approved by the Superintendent during the prisoners’ application process to coordinate the activities of prisoners during unsupervised external activities, such as workplace manager or short course facilitator. |
| Community Work Project | A project undertaken at an approved external activity location which is aimed at rehabilitating prisoners and is of benefit to the community.  |
| Commissioner’s Operating Policy & procedure (COPP) | Operational Instruments that provide instructions to staff as to how the relevant legislative requirements are implemented. |
| External Activity  | For the purpose of this COPP, an external activity is an approved activity (work, recreation, leisure), as defined by s.95 *Prisons Act 1981,* undertaken externally to the prison’s secure perimeter (if present).  |
| Generally  | Where the work ‘generally’ is used, it is taken to mean that what is stated in that provision is the intention and may only be varied in exceptional circumstances. |
| 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. |
| Individual Management Plan (IMP) | The approved plan developed in consultation with treatment, education and assessment staff and the prisoner. The IMP spans the prisoner's sentence through to release. It identifies prisoner needs and contains recommendations for prison placements, security classification and interventions that will assist the prisoner to live a pro-social life on release to the community. |
| Management and Placement Checklist (MAP) | The checklist completed to determine the initial security rating and placement for a prisoner. |
| TOMS Offender Notes | The area within TOMS database where information relating to a prisoner’s Individual Management Plan (or other behaviour/situation that may affect the prisoner’s IMP), may be recorded by the Case Officer or other staff member. TOMS Offender Notes inform interested parties as to the prisoner’s current situation. |
| Officer in Charge (OIC) | An officer designated as having the charge and superintendence of a prison in the absence of the Superintendent. |
| PEP | Prisoner Employment Program. |
| Superintendent | The Superintendent as defined in s. 36 [*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). This does not extend to the Officer in Charge. |
| Supervised (or supervised activity) | For the purposes of this COPP, the term ‘supervised activity’ shall indicate the physical presence of a Prison Officer for the duration of the activity.  |
| Total Offender Management Solution (TOMS) | The computer application used by the Department of Justice for the management of prisoners in custody. |
| Unlawful Consorting Notice | Unlawful Consorting Notice issued under the *Criminal Law (Unlawful Consorting and Prohibited Insignia) Act 2021* |
| Unsupervised (or unsupervised activity) | Supervision as defined by r. 2(1) [*Prisons Regulations 1982*](http://www.slp.wa.gov.au/legislation/statutes.nsf/main_mrtitle_1947_homepage.html), does not require a person to be in the physical presence of the prisoner. For the purpose of this COPP, the term ‘unsupervised’ shall indicate a supervisor who is not in the physical presence of a prisoner(s) for the duration of the external activity but monitors their progress and ensures they are accounted for through periodic attendance at the activity location. |
| Work Camp | An external facility as established under s. 23 [*Prisons Act 1981*](http://www.slp.wa.gov.au/legislation/statutes.nsf/main_mrtitle_751_homepage.html), designated as an additional unit of the host prison,  |

## Related legislation

* *[Criminal Law (Mental Impairment)](http://www.slp.wa.gov.au/legislation/statutes.nsf/main_mrtitle_228_homepage.html)* [*Act 2023*](http://www.slp.wa.gov.au/legislation/statutes.nsf/main_mrtitle_228_homepage.html)
* [*High*](http://www.slp.wa.gov.au/legislation/statutes.nsf/main_mrtitle_244_homepage.html) *Risk Serious Offenders Act 2020*
* *Occupational Safety and Health (OSH) Act 2006*
* *Prisons Act 1981*
* *Prisons Regulations 1982*

# Assurance

It is expected that:

* Prisons will undertake local compliance as per the Operational [Compliance Manual](https://dojwa.sharepoint.com/sites/intranet/department/standards/Pages/monitoring.aspx)
* The relevant Deputy Commissioner will ensure that management oversight occurs as required
* Operational Compliance Branch will undertake checks as per the [Operational Compliance Framework](https://dojwa.sharepoint.com/sites/intranet/department/standards/Pages/monitoring.aspx)
* Independent oversight will be undertaken as required.

Document Version History

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| --- | --- | --- | --- | --- |
| Version  | Primary author(s) | Description of version | Date completed | Effective date |
| 1.0 | Operational Policy | Approved by the Director Operational Projects, Policy, Compliance and Contracts | 7 January 2022 | 24 January 2022 |
| 2.0 | Operational Policy | Approved by the Commissioner, Corrective Services | 25 January 2022 | 28 January 2022 |
| 3.0 | Operational Policy | Approved by the Director Operational Projects, Policy, Compliance and Contracts | 28 July 2022 | 29 July 2022 |
| 4.0 | Operational Policy | Approved by the Commissioner, Corrective ServicesCM: S23/112759 | 4 December 2023 | 12 December 2023 |
| 5.0 | Operational Policy | Approved by the Assistant Director Operational PolicyCM: S24/48127 | 1 May 2024 | 1 May 2024 |
| 6.0 | Operational Policy | Approved by the Assistant Director Operational PolicyCM Ref: D24/479366Feedback Ref: 504 | 08 May 2024 | 15 May 2024 |
| 7.0 | Operational Policy | Approved by Deputy Commissioner, Operational SupportCM Ref: S24/86893 | 30 August 2024 | 01 September 2024 |

1. s 95 *Prisons Act 1981* [↑](#footnote-ref-1)
2. s 83 *Prisons Act 1981* [↑](#footnote-ref-2)
3. Part 3 *Criminal Law (Unlawful Consorting and Prohibited Insignia) Act 2021* [↑](#footnote-ref-3)
4. s 83 *Prisons Act 1981* andr 54D *Prisons Regulations 1982* [↑](#footnote-ref-4)
5. [*High Risk Serious Offenders Act 2020*](https://www.legislation.wa.gov.au/legislation/statutes.nsf/law_s52638_currencies.html) [↑](#footnote-ref-5)
6. r. 54F (4) *Prisons Regulations 1982* [↑](#footnote-ref-6)
7. [*High Risk Serious Offenders Act 2020*](https://www.legislation.wa.gov.au/legislation/statutes.nsf/law_s52638_currencies.html) [↑](#footnote-ref-7)
8. [*High Risk Serious Offenders Act 2020*](https://www.legislation.wa.gov.au/legislation/statutes.nsf/law_s52638_currencies.html) [↑](#footnote-ref-8)
9. Division 5 s. 77of the *Criminal Law (Mental Impairment) Act 2023* [↑](#footnote-ref-9)
10. [*High Risk Serious Offenders Act 2020*](https://www.legislation.wa.gov.au/legislation/statutes.nsf/law_s52638_currencies.html) [↑](#footnote-ref-10)
11. s 69 & s 70 *Prisons Act 1981* [↑](#footnote-ref-11)
12. s 52 *Prisons Act 1981* [↑](#footnote-ref-12)
13. s 95 *Prisons Act 1981* [↑](#footnote-ref-13)
14. *Occupational Safety and Health (OSH) Act 1984* [↑](#footnote-ref-14)