COPP 10.6 Anti-bullying

Prison

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| Principles*As referenced in the* [Guiding Principles for Corrections in Australia, 2018](http://justus/search/Pages/results.aspx?k=guiding%20principles%20for%20corrections%20australia):3.1.3 Prisoners/offenders, visitors and staff, particularly those most vulnerable or at-risk, are safe from bullying, intimidation and victimisation (including verbal, mental or physical abuse, damage or property theft). |

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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

All staff shall work with prisoners to eliminate all forms of bullying behaviour, providing a prison environment that is safe, secure and free from intimidation. Responsibility for safety and well-being is both a shared and individual responsibility.

An integrated prison approach to the identification and management of bullying shall be taken, where all aspects of service delivery and prison life are considered as opportunities to create a safer environment.

Each prison shall implement anti-bullying measures to:

* heighten awareness of the consequences of bullying
* identify and provide support to the victims of bullying
* provide opportunities for perpetrators to address their anti-social behaviour
* provide opportunities for the victims to develop skills for dealing with the bullying and intimidation
* develop prison environments that discourage bullying behaviour
* reduce the incidence of prisoner assault, stand-over and bullying behaviours.

# Introduction

* + 1. Bullying challenges and undermines the prison’s ability to maintain good order and a safe environment for all staff and prisoners. It is an anti-social behaviour which contributes significantly to a prisoner’s “At Risk” status.

### Bullying is physical, verbal, psychological or emotional threats and actions that intend to cause someone fear or harm. It is usually a repeated behaviour and always involves a power imbalance. Bullying can present in various ways and may include:

1. psychological pressure, name calling and threats
2. vandalising property
3. unprovoked attacks
4. repeated occurrences of any one or more of the above
5. the intention to cause fear or harm to the victim.

### Suspicions of bullying may be raised by various indicators:

1. information from a third party
2. unexplained injuries
3. self-harm
4. lack of possessions/missing canteen purchases
5. buying canteen items not for personal use (e.g. tobacco, if a non-smoker)
6. general behaviour (e.g. withdrawn or upset)
7. efforts to change accommodation - sometimes through deliberate breaches of discipline
8. changes in routine.

# General Requirements

## Awareness

### A whole prison approach to reduce bullying by changing the climate and culture of prisons requires to be adopted, commencing at reception.

### Staff, prisoners and visitors need to be cognisant of the nature, extent and harmful consequences of bullying and work together to address bullying behaviours in each prison.

### Information on the detrimental impact of bullying and the potential sanctions that can be imposed, is communicated clearly and in a manner, pace and language understood by each prisoner.

## Identification

### All staff should be advised of prisoners who are suspected or known to be the victims or perpetrators of bullying behaviour.

## Evaluation

### Responsibilities for developing and leading the anti-bullying response within the prison can be supported by implementing a workgroup such as a local anti-bullying committee and review as considered necessary.

# Procedures for Addressing Bullying Behaviour in Prisoners

## Supporting the victim

### Prison staff shall treat a prisoner who claims they are being bullied or who staff suspect are being bullied in a professional and sensitive manner at all times.

### Prison staff shall apply their interpersonal communication skills to encourage and draw out information from prisoners.

### Prison staff shall encourage and reinforce the positive steps taken by the prisoner reporting an incident of bullying.

### Prison staff shall reassure the prisoner that their identity will be protected and encourage the prisoner to report any further incidents.

### Prison staff shall report initial suspicions as soon as possible to the Unit Manager/Principal Officer/OIC.

### Prison staff shall closely monitor and provide on-going support to the prisoner, where:

1. there is insufficient evidence to prove they are being bullied
2. the prisoner verbalises they do not want any action taken.

### Prison staff may consider completing an [ARMS](#_Related_COPPS_and) referral on TOMS or the involvement of other supports, such as Psychological Health Services (PHS referral on TOMS), where there are concerns about the impact of the bullying on the prisoner.

### Prison staff shall brief the victim on any actions taken to address the bullying behaviour and document all information on TOMS.

### The Unit Manager may consider the removal of the prisoner to another area of the prison, or recommend another prison, if this is deemed appropriate. This course of action should be deemed an option of last resort.

### Each prison may designate a particular officer(s) who can be called upon when required to provide support and assistance to the prisoner.

## Interventions to address bullying behaviours

### A multidisciplinary approach, utilising a variety of interventions will assist in address bullying behaviour, taking into consideration individual circumstances and the needs of different prisoner populations throughout the State.

### Interventions to address bullying behaviour can take a number of forms and may include:

1. structured interviews with unit staff/unit manager
2. discussions with the prison counselling service, peer support or coaching by staff.

### Prison staff and/or service providers shall apply targeted interventions to address the bullying behaviours with prisoners identified as displaying bullying behaviour.

### Prison Officers shall manage the bullying behaviour in accordance with [COPP 10.1 Prisoner Behaviour Management](http://justus/intranet/prison-operations/Pages/prison-copps.aspx) and [COPP 10.5 Prisoner Offences and Charges](http://justus/intranet/prison-operations/Pages/prison-copps.aspx).

## Reporting

### Prison staff and/or service providers shall document and report all suspicions of bullying by a prisoner on the prisoner’s file and in accordance with [COPP 13.1 Incident Notifications, Reporting and Communications](http://justus/intranet/prison-operations/Pages/prison-copps.aspx), when:

1. information is received from a prisoner
2. a prisoner presents with an injury
3. an incident is witnessed or a conversation is overheard.

## General

### Unit staff shall, when prisoners are transferred between units or between prisons, forward all relevant records to the new unit.

### Receiving Unit Managers shall review each case individually and determine whether to continue any regime restrictions imposed.

# Standing Order

### Superintendents shall make and issue a Standing Order, to include:

### incorporating strategies relevant to their prison to address bullying behaviour

### establishing a structure of responsibilities for the development, implementation and evaluation of the approach being taken.

# Annexures

## Related COPPs and documents

Related COPPs

* [COPP 10.1 Prisoner Behaviour Management](http://justus/intranet/prison-operations/Pages/prison-copps.aspx)
* [COPP 10.5 Prison Offences and Charges](http://justus/intranet/prison-operations/Pages/prison-copps.aspx)
* [COPP 13.1 Incident Notifications, Reporting and Communications](http://justus/intranet/prison-operations/Pages/prison-copps.aspx)

Other documents

* [At Risk Management System (ARMS) Manual](http://justus/intranet/prison-operations/Pages/arms.aspx)

## Definitions and acronyms

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| Term | Definition  |
| 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 detention centre that limits stress on detainees.
* Secondary prevention - strategies to support detainees 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
 |
| Bullying | Behaviour by an individual or group, repeated over time, which hurts another individual or group either physically or emotionally |
| 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. |
| 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. |
| 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 Act 1999*. |
| 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. |
| Unit Manager | The Senior Officer managing the unit in which the prisoner is located. |

## Related legislation

* *Prisons Act 1981*

# Assurance

It is expected that:

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

Document version history

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| --- | --- | --- | --- | --- |
| Version no | Primary author(s) | Description of version | Date completed | Effective date |
| 1.0 | Operational Policy  | Approved by the Director, Operational Projects, Policy, Compliance and Contracts | 4 February 2021 | 19 July 2021 |
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