COPP 12.3 Conducting Escorts

Prison

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| --- |
| Principles As referenced in the [Guiding Principles for Corrections in Australia, 2018](http://justus/intranet/prison-operations/Documents/guidelines-for-corrections-in-aus.pdf):  3.1.12 Transport of persons in custody is conducted in a safe and humane manner, taking into account the dignity of the person being transported. |

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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).

It also applies to any organisation contracted to the Department under the *Court Security and Custodial Services Act 1999*[[1]](#footnote-1), for the provision of custodial transport services.

# Policy

Prisoners are transported in a safe, humane and efficient manner that meets their individual needs, ensures self-respect and privacy as required, while providing adequate safety and security for the community, prisons and staff managing prisoners.

Prisoners are moved between court, prisons and other facilities for a number of reasons, in accordance with legislation and authorisation from the Superintendent under the delegated authority of the Chief Executive Officer (CEO).

Prisoners are not accepted for transport until their identity can be confirmed as stated on the warrant/escort documentation.

Prisoners lawfully absent from prison for the purpose of undergoing escorted travel remain in lawful custody and as such, movements of prisoners are responsive to changing events or prisoner incidents.

The authorised sharing and exchange of information is important in maintaining or providing the security, control, safety, care and welfare of remanded or sentenced prisoners into Department custody.

In consideration of Western Australia’s history of Aboriginal deaths in custody, the Department acknowledges that confinement in a secure vehicle has the potential to be a disproportionately stressful process for Aboriginal prisoners, especially for those who are connected to, or can recall, specific cases. The escort process may also have the potential to be a disproportionately stressful process for prisoners with an impairment. As such, prisoners shall be briefed regarding the escort process, including relevant safety precautions taken to ensure their health and welfare, and Officers shall be mindful of any concern raised by a prisoner in this regard.

# Reasons for Escorts

### The escort of prisoners can occur as follows[[2]](#footnote-2):

1. court to prison
2. prison to court
3. inter-prison transfer
4. section 83 absences[[3]](#footnote-3)
5. *Mental Health Act 2014* transfers
6. intrastate, interstate or international
7. section 95 prisoners
8. prison to Western Australian Police Force (WAPF) lock-ups.

# Standard Procedures

## Security Manager/Principal Officer/Officer in Charge responsibilities

### The Security Manager/Principal Officer/Officer in Charge (OIC) shall ensure that the escorting team has the sufficient experience, skills and knowledge to conduct the escort.

### The Security Manager/Principal Officer/OIC shall ensure there are the required number of Escorting Officers to maintain custody of the prisoner.

### The Security Manager/Principal Officer/OIC shall ensure all Escorting Officers have a current CPR qualification and are current in the use of restraints.

### The Security Manager/Principal Officer/OIC shall ensure, where practicable, one Escorting Officer is of the same gender as the prisoner for all escorts.

### The Security Manager/Principal Officer/OIC shall ensure the [Escort Dispatch Checklist](http://justus/intranet/prison-operations/Pages/copp-forms.aspx) is completed prior to movement.

## Escorting Officer responsibilities

### Escorting Officers shall be familiar with the reason for the escort as well as the route to the escort destination.

### Escorting Officers shall apply the relevant security measures and remain vigilant when transferring prisoners between a vehicle and their destination.

### Escorting Officers shall always:

1. ensure the appropriate authority exists and obtain the relevant documentation for the purpose of the escort in accordance with the documentation list in [COPP 12.2 – Coordination of Escorts](http://justus/intranet/prison-operations/Pages/prison-copps.aspx) and [COPP 12.7 – Warrants](http://justus/intranet/prison-operations/Pages/prison-copps.aspx) prior to accepting a prisoner for escort;
2. complete checks as per [Escort Dispatch Checklist](http://justus/intranet/prison-operations/Pages/copp-forms.aspx);
3. conduct security checks of the escort vehicle and complete the [Secure Escort Vehicle Checklist](https://justus/intranet/prison-operations/Pages/copp-forms.aspx). These checks shall be conducted in all instances where a secure escort vehicle is taken offsite, regardless of the presence of a prisoner under escort.
4. assist prisoners with a disability into and out of the escort vehicle;
5. ensure prisoners are wearing a seatbelt during the escort, where applicable;
6. ensure sufficient water is made available to prisoners during the escort (catering for up to 750ml per hour in hot weather);
7. provide culturally appropriate food during the escort at 4 hourly intervals, unless medical requirements require it sooner.
8. ensure a process is in place for prisoners who are not able to communicate in spoken and/or written English, to communicate with Escorting Officers, refer [COPP 9.1 – Cultural, Religious and Spiritual Services](http://justus/intranet/prison-operations/Pages/prison-copps.aspx); and
9. ensure prisoners are briefed regarding the escort process, including information regarding relevant health and safety precautions taken to ensure their welfare.

## Specific considerations

### Escorting Officers shall ensure trans, gender diverse and intersex prisoners are transported as per the requirements outlined in [COPP 12.2 - Coordination of Escorts](http://justus/intranet/prison-operations/Pages/prison-copps.aspx) and [COPP 4.6 –Trans, Gender Diverse and Intersex Prisoners](http://justus/intranet/prison-operations/Pages/prison-copps.aspx).

### Prisoners who are pregnant, in labour, or post-natal care require special consideration regarding type of vehicle and use of restraints and shall be escorted in accordance with [COPP 11.3 – Use of Force and Restraints](http://justus/intranet/prison-operations/Pages/prison-copps.aspx) and [COPP 12.1 – Escort Vehicles](http://justus/intranet/prison-operations/Pages/prison-copps.aspx).

### Escorting Officers shall take into consideration the level and nature of the prisoner’s medical condition/disability during escort

### Escorting Officers shall ensure prisoners are conveyed to court in accordance with a valid warrant[[4]](#footnote-4).

### Escorting Officers may use reasonable force where a prisoner refuses to attend court (externally or via video-link) to ensure that lawful orders are complied with[[5]](#footnote-5). In these circumstances the prison shall contact the court as to the prisoner’s refusal to attend and determine an appropriate solution.

### Escorting Officers may use reasonable force where a prisoner refuses to attend a medical appointment or be transferred to another prison or from Court to prison. Refer to [COPP 11.3 – Use of Force and Restraints](https://justus/intranet/prison-operations/Pages/prison-copps.aspx).

## Welfare Checks

* + 1. Escorting Officers conducting an escort shall maintain constant visual supervision of prisoners at all times and complete the following:

1. conduct a welfare check, by speaking with each prisoner, at a minimum of once every 15 minutes, ensuring any requirements are met (e.g. water, food etc.)
2. ensure the air conditioning is operational
3. ensure medications are issued in accordance with [COPP 6.4 – Officers Issuing Medication](https://justus/intranet/prison-operations/Pages/prison-copps.aspx)
4. where a road escort in a secure vehicle exceeds 2 hours:

* stop the vehicle and physically open the external pod door (leaving the secure internal door locked)
* check the air conditioning is working
* offer the prisoner(s) additional water (unless a medical condition requires it to occur sooner)
* observe and speak with the prisoner(s) to determine/identify any potential or actual health issues.

### Welfare checks shall be recorded in ePEMS by Ventia escorting officers and in the escort occurrence book by Department escorting officers.

# Instruments of Restraint

## General requirements

### Escorting Officers shall be appropriately trained and equipped with approved instruments of restraint during an escort in accordance with [COPP 11.3 – Use of Force and Restraints](http://justus/intranet/prison-operations/Pages/prison-copps.aspx).

### Escorting Officers shall apply and/or modify the use of restraints in accordance with the Superintendent’s (or Contract Director or their delegate’s) approval, this COPP, and the Department’s Escort Procedures training manual.

### For escorts conducted by Departmental Officers, the Principal Officer/OIC shall ensure the prisoner is appropriately secured prior to departing the prison.

### Escorting Officers shall ensure all details of use of restraints related to the escort are recorded in the escort Occurrence Book.

### For Departmental escorts, the Superintendent shall authorise and direct the restraint of a prisoner[[6]](#footnote-6)*.* The following standards are applied:

### prisoners shall be restrained using a minimum of two points of restraint during escort when in a non-secure location

### prisoners shall be restrained using a minimum of two points of restraint during escort when in non-secure vehicle

### prisoners shall not be restrained during escort when in a secure location

### prisoners shall not be restrained during escort when in a secure vehicle

### when transitioning from a secure vehicle to a non-secure location, prisoners shall be restrained using two points of restraint via the pod hatch prior to being unsecured from the pod and disembarking the vehicle (for secure vehicles that do not have a pod hatch the Superintendent may authorise the prisoner to be restrained inside the vehicle if applying restraints during transition is deemed to compromise the safety and security of the escort)

### when transitioning from a non-secure location to a secure vehicle, once the prisoner is secured in the pod, restraints shall be removed via the pod hatch prior to any vehicle movement (for secure vehicles that do not have a pod hatch the Superintendent may authorise the prisoner to remain restrained inside the vehicle if removing restraints during transition is deemed to compromise the safety and security of the escort)

### where an Escorting Officer is required to be one-to-one with a prisoner for any reason during a hospital sit, a minimum of three points of restraint shall be applied

### prisoners held in minimum security prisons may be escorted unrestrained outside of the prison on the Superintendent/OIC authority following the completion of an External Movement Risk Assessment (EMRA) or Prisoner Movement Risk Assessment (PMRA) on Total Offender Management Solution (TOMS).

### The Superintendent may determine alternative standards to the above for Departmental escorts specific to the facility via a Standing Order.

### The Superintendent/OIC may vary the standards for restraining a prisoner during escort on a case by case basis following the completion of an EMRA, or PMRA for coach/air travel, on TOMS.

### For each Contractor led escort, the Superintendent shall provide the Contractor with a recommendation for the level of restraints consistent with the recommended standards in this COPP (and the facility’s Standing Order if applicable) via the Offender Movement Information (OMI) sheet on TOMS. The Contractor shall consider the recommendation in determining the final assessment of the restraints necessary for the continued custody of the prisoner[[7]](#footnote-7)and record this in ePEMS*.*

### Prisoners shall not be restrained to any part of a vehicle (note: ambulance stretchers are not considered part of a vehicle) whilst the vehicle is in motion.

### Prisoners engaging in activities under a pre-existing assessment system (ie work camps, s. 95 activities, Prisoner Employment Program (PEP) and Re-integration Leave) may be escorted unrestrained outside of the prison while engaging in that activity.

### High Security Escort prisoners shall be restrained during external escort in accordance with Special Operations Group Superintendent Official Instruction A10.

## Points of restraint

### Standard point/s of restraint refers to a prisoner being secured by an authorised restraint as follows:

1. **1 point of restraint:** prisoner is restrained by handcuffs wrist to wrist.
2. **2 points of restraint:** prisoner is restrained by handcuffs wrist to wrist and with a security chain link ankle to ankle or a second set of handcuffs from the prisoner’s wrist to an officer’s wrist.
3. **3 points of restraint:** prisoner is restrained by handcuffs wrist to wrist, a second set of handcuffs from the prisoner’s wrist to an officer’s wrist and a security chain link ankle to ankle.

## Reasons prohibiting the use of restraints

### Prisoners with significant medical and/or mobility issues (such as those listed below) shall not be placed in restraints unless there remains a need following the completion of an EMRA (or PMRA for coach/air transport) by prison staff and approval by the Superintendent/OIC (or equivalent risk assessment by the Contractor approved by the Contract Director or their delegate). Particular consideration shall be given, but not limited, to the following cohorts:

1. prisoners who are not conscious
2. prisoners who are terminally ill (Stage 3 and 4), refer to [COPP 6.2 – Prisoners with a Terminal Medical Condition](https://justus/intranet/prison-operations/Pages/prison-copps.aspx)
3. prisoners who are elderly and frail
4. prisoners with significant mobility issues
5. prisoners with significant injuries or health challenges which may prevent the use of handcuffs/ankle-cuffs or hobbles
6. prisoners who are pregnant, in labour, or post-natal care (refer to [COPP 11.3 – Use of Force and Restraints](http://justus/intranet/prison-operations/Pages/prison-copps.aspx)).

### Where relevant, risk assessments shall be conducted in consultation with medical staff.

# Conducting Escorts

## Actions prior to an escort

### The following actions shall be applied to the escort of all prisoners:

|  |  |  |
| --- | --- | --- |
|  | Procedure | Responsibility |
| **1.** | Ensure the Operations Centre (OPCEN) is notified of any unscheduled escorts, via email, except in circumstances where the escort is a result of serious injury caused by; self-harm, suicide attempt, assault, requires urgent RFDS movement to a metro hospital or serious injury. In which case, a phone call shall also occur. | Superintendent/OIC |
| **2.** | Obtain approved instruments of restraint as listed in [COPP 11.3 – Use of Force and Restraints](http://justus/intranet/prison-operations/Pages/prison-copps.aspx), and ensure the equipment is in good working order (ie, escort bag). | Escorting Officers |
| **3.** | Obtain a radio and mobile telephone with the relevant contact numbers. | Escorting Officers |
| **4.** | Conduct a [Secure Escort Vehicle Checklist](https://justus/intranet/prison-operations/Pages/copp-forms.aspx) operational vehicle check in accordance with the department’s [Minimum Standards for Secure Escort Vehicles](http://justus/intranet/contracts-purchasing/Documents/vehicle-standards-prisoner-escort.docx) and [COPP 11.6 – Vehicle Management](http://justus/intranet/prison-operations/Pages/prison-copps.aspx). | Escorting Officers |
| **5.** | Obtain the relevant documentation, refer to Documentation for External Movements in [COPP 12.2 – Coordination of Escorts](http://justus/intranet/prison-operations/Pages/prison-copps.aspx), and any property and medication accompanying the prisoner, where required, in accordance with [COPP 3.1 – Management of Prisoner Property](http://justus/intranet/prison-operations/Pages/prison-copps.aspx). | Escorting Officers |
| **6.** | Confirm the identity of the prisoner in accordance with the warrant/documentation in Documentation for External Movements in [COPP 12.2 – Coordination of Escorts](http://justus/intranet/prison-operations/Pages/prison-copps.aspx) by:   * questioning the prisoner (seek the assistance of interpreter services, where available, if the prisoner does not speak English) * speaking with the court or WA Police Force * confirming an alias with their true identity. | Escorting Officers |
| **7.** | Restrain prisoners, where applicable, in accordance with [section 5](#_Instruments_of_Restraint). | Escorting Officers |
| **8.** | Ensure restrained prisoners are not secured to any part of the vehicle whilst the vehicle is in motion. | Escorting Officers |
| **9.** | Ensure there is sufficient potable water for each prisoner (catering for up to 750ml per hour in hot weather). | Escorting Officers |
| **10.** | Ensure there is sufficient provision of food for each prisoner at four hourly intervals unless a medical condition requires a prisoner to have it sooner. | Escorting Officers |
| **11.** | Arrange for a wheelchair to be made available at the destination, where required. | Principal Officer/OIC |

## Actions during an escort

### The Contractor shall provide the necessary custody service for the duration of the escort in accordance with legislation[[8]](#footnote-8).

### Escorting Officers shall evaluate the area and develop and implement strategies necessary to mitigate the risk of escape during the escort.

### Escorting Officers may vary the restraints placed on a prisoner, in accordance with [COPP 11.3 – Use of Force and Restraints](http://justus/intranet/prison-operations/Pages/prison-copps.aspx) and advise the Superintendent or delegate (or Contract Director or their delegate) immediately, if during an escort:

1. a medical officer requests the removal of the restraints when conducting a consultation, examination or treatment, subject to the directions of the Superintendent; and
2. their removal does not breach or jeopardise the security of the escort.

### If the Superintendent/OIC (or Contract Director or their delegate) authorises restraints to be removed for the purposes of a medical procedure, Escorting Officers shall:

1. maintain line of sight with the prisoner
2. where practicable, cover all potential exit points of the consulting room/ medical theatre;
3. request hospital staff to inform them immediately once the medical procedure has been completed; and
4. re-apply restraints as soon as practicable upon completion of the medical procedure.

### The following actions apply during an escort:

|  |  |  |
| --- | --- | --- |
|  | **Procedure** | **Responsibility** |
| **1.** | Provide each prisoner with potable water and a meal, as required | Escorting Officers |
| **2.** | Lock all vehicle doors when not in use or unattended. Keys should be kept with the Escorting Officers and not be left in the unattended vehicle at any time | Escorting Officers |
| **3.** | Conduct checks of the vehicle to ensure constant supervision through CCTV, where applicable, and ensure that the air conditioning is operating as expected. Checks shall be recorded in the [Secure Escort Vehicle Checklist](https://justus/intranet/prison-operations/Pages/copp-forms.aspx). | Escorting Officers |
| **4.** | Check the restraints on the prisoner at a minimum of every hour and record checks in the Occurrence Book. | Escorting Officers |
| **5.** | Maintain vigilance and monitor the prisoner(s) when the vehicle is stationery for a prolonged period of time | Escorting Officers |
| **6.** | Issue and manage any prescribed prisoner medication (as per dosage instructions) | Escorting Officers |
| **7.** | Comply with emergency/contingency directions in the event of a vehicle breakdown or emergency, refer to the prison’s emergency management plan | Escorting Officers |
| **8.** | Respond to any calls from the prisoner via the intercom, take any action necessary and record the event and response in the occurrence book, where applicable | Escorting Officers |
| **9.** | Modify the prisoner’s restraints for the purpose of using the toilet, shower or other ablutions on approval from the Superintendent/OIC or delegate, when required | Escorting Officers |
| **10.** | Complete, as required, the observation and interaction records during the time the prisoner is absent from the prison:   * At Risk Management System (ARMS) * Support and Monitoring System (SAMS) | Escorting Officers |
| **11.** | Maintain control of the prisoner at all times when conveying them between the vehicle and end point of the escort | Escorting Officers |
| **12.** | Conduct a handover, when there is a change of Escort Officers during an escort (eg hospital sit), to include:   * the relevant authorised documents to maintain custody of the prisoner; and * a verbal update including, but not limited to, any observations, concerns, changes to approved restraints. * record handover within Occurrence Book and advise Superintendent/Delegate/Principal Officer/OIC that handover has occurred. | Escorting Officers |

## Death of prisoner during an escort

### Where a prisoner has died external to the prison, escorting officers must continue to remain with the deceased until such time as handover with the Western Australian Police Force (WAPF) has officially occurred and the WAPF have assumed responsibility for the deceased. Refer to [COPP 13.2 – Death of a Prisoner](https://justus/intranet/prison-operations/Pages/prison-copps.aspx).

## Breakdown of an escort vehicle or other emergency

### Escorting Officers shall apply the procedures in accordance with [COPP 11.6 –Vehicle Management](http://justus/intranet/prison-operations/Pages/prison-copps.aspx) in the event of a vehicle breakdown.

### Escorting Officers shall take all reasonable means to prevent the escape of prisoners.

### In the event the air conditioning system becomes non-operational, Escorting Officers shall open the outer pod door for ventilation and apply two points of restraint to the prisoner.

### Escorting Officers shall contact the OPCEN, who shall inform the nearest WA Police Force station and Superintendent of the location and nature of the emergency.

### The Superintendent and/or Contractor Director shall determine whatever assistance by way of staff and other support is deemed necessary and practicable in the circumstances.

## Actions following an escort

### The following actions apply when conducting a handover of prisoners on return from an escort:

|  |  |  |
| --- | --- | --- |
|  | **Procedure** | **Responsibility** |
| **1.** | Handover the prisoner(s) to Reception Officers. | Escorting Officers |
| **2.** | Provide Reception Officers with   * the relevant documentation and paperwork in accordance with Documentation for External Movements in [COPP 12.2 – Coordination of Escorts](http://justus/intranet/prison-operations/Pages/prison-copps.aspx); and * any other relevant information regarding the prisoner’s wellbeing which may warrant attention/assessment regarding their risk. | Escorting Officers |
| **3.** | Verbally advise Reception Officers and Security Management of any relevant information involving prisoners and record any incidents as per [COPP 13.1 – Incident Reporting and Notifications](http://justus/intranet/prison-operations/Pages/prison-copps.aspx). | Escorting Officers |
| **4.** | Conduct a search of the vehicle in accordance with [COPP 11.2 – Searching](http://justus/intranet/prison-operations/Pages/prison-copps.aspx). | Escorting Officers |
| **5.** | Document all relevant information on TOMS/ePEMS. | Escorting Officers |

### The following additional actions shall apply, as required:

|  |  |  |
| --- | --- | --- |
|  | **Procedure** | **Responsibility** |
| **1.** | Provide Reception Officers with the medical documentation, medication/medical supplies and other relevant paperwork in accordance with Documentation for External Movements in [COPP 12.2 – Coordination of Escorts](http://justus/intranet/prison-operations/Pages/prison-copps.aspx).  **\*Note**: Only Medical Officers shall open and read received medical documentation. | Escorting Officers |
| **2.** | Inform Reception Officers if the prisoner refused to attend the medical appointment and/or if further medical observation is required. | Escorting Officers |

# Court to Prison Escorts

## General requirements

### Newly remanded or sentenced prisoners shall generally be transported to either Hakea Prison or Melaleuca Women’s Prison (unless directed otherwise by the OPCEN or Control Centre for Contractor escorts) in the metropolitan area.

### Newly remanded or sentenced prisoners in regional locations shall be transported to the nearest prison facility (excluding Pardelup Prison Farm).The gender of the prisoner being transferred to a prison shall be determined according to the warrant details. Where there appears to be an error on the warrant regarding the gender of the prisoner, this should be addressed with the court. For trans, gender diverse, or intersex prisoners refer to [COPP 4.6 –Trans, Gender Diverse and Intersex Prisoners](http://justus/intranet/prison-operations/Pages/prison-copps.aspx).

### Escorting Officers shall return prisoners to the prison of origin if all matters have been dealt with and they have been retained in custody.

### Escorting Officers shall notify the receiving prison if there is a delay in transporting prisoners to the relevant prisons.

## Custody handover in external locations

### Where a remanded or sentenced prisoner is received into the Department’s custody at an external location (eg hospitals, WA Police Force Lockups), Escorting Officers shall ensure the correct documentation is received from WA Police Force/Australian Federal Police prior to accepting a prisoner into lawful custody. The documentation and other relevant information may include:

1. verification of the prisoner’s identity
2. a hardcopy of the relevant documentation to include:
3. Warrant or other holding authority, refer [COPP 12.7 Warrants](http://justus/intranet/prison-operations/Pages/prison-copps.aspx)
4. Custody Summary Handover Report
5. section 74 Authority to Take Charge and Move notice (Contractor only)
6. Medical Summary Report
7. Police Custodial Care – Medical Treatment Report, as required
8. Property Report for Transfer.
9. the prisoner’s property
10. a verbal update on any incidents, observations, welfare concerns etc.

### Escorting Officers shall record the details of the handover in their occurrence book, and on TOMS, to include the documentation and details received and/or not received.

### The Escorting Officers, with access to ePEMS, shall ensure all information related to the escort/handover is recorded in ePEMS.

### The Escorting Officers and receiving prison shall request an electronic copy of the handover documentation from WA Police Force.

### The Senior Officer Gatehouse (or Officer authorised by the Superintendent) shall add the prisoner to the total prison count on TOMS (refer [COPP - 2.1 – Reception](http://justus/intranet/prison-operations/Pages/prison-copps.aspx)).

## Bed-side hearing or hospital admission following court appearance

### Escorting Officers shall notify the relevant prison of the new prisoner’s current location and immediately email a copy of the warrant and any other authorised documentation to the relevant prison, if they are:

1. remanded into custody/sentenced following a bed-side hearing at a medical facility; or
2. required to attend a medical facility after a court appearance.

## Release of prisoners

### Escorting Officers shall release prisoners without delay in accordance with [COPP 14.6 – Prisoners Released from Custody](http://justus/intranet/prison-operations/Pages/prison-copps.aspx) and the relevant clauses of the Prisoner Release Checklist (TOMS), where there is no lawful requirement to detain them.

## Hospital Orders

### For escorts of prisoners on Hospital Orders refer to [COPP 12.2 – Coordination of Escorts](http://justus/intranet/prison-operations/Pages/prison-copps.aspx).

# Prison to Court Escorts

### The Escorting Officers shall obtain the relevant documentation for the transportation of prisoners to court in accordance with Documentation for External Movements in [COPP 12.2 – Coordination of Escorts](http://justus/intranet/prison-operations/Pages/prison-copps.aspx) and confirm the following:

1. list of names and locations of prisoners to be moved;
2. points of destination and timing requirements;
3. the documentation authorising the movement of the prisoner(s) is valid, prior to accepting them for transport;
4. the prisoner has been deemed fit to travel;
5. any relevant information for each prisoner to include: protection, security and/or medical issues; and
6. medication arrangements, where required.

# Scheduled Medical Appointments/Admissions

## General requirements

### The Movements Officer shall confirm the medical appointment/admission 24 hours prior.

### Escorting Officers shall contact security at the relevant medical facility to enable security arrangements to be made, advising of:

1. the prisoner(s) name(s)
2. estimated time of arrival
3. security rating; and
4. any other relevant factors.

### Escorting Officers shall notify the Superintendent/OIC immediately if, during a medical appointment/admission, a prisoner’s:

1. location/status changes (ie ward/room change or health complications); or
2. health deteriorates to the extent that hospital medical staff perceive there is a serious or imminent threat to life.

### Escorting Officers, if satisfied that the security and continued charge and supervision of the prisoner will not be jeopardised, shall:

1. leave the room if requested by medical staff and permit a prisoner to be consulted, examined or treated outside of their view
2. allow the use of the toilet in privacy, ensuring restraints remain in place in accordance with the Department’s Escort Procedures training manual
3. allow prisoners to wear the standard hospital attire for the purpose of the medical appointment/admission.

### Escorting Officers shall notify the Superintendent/OIC of the prisoner’s location in the event the prisoner is admitted to hospital.

## Visits/phone calls to prisoners at external facilities

### Visits to external facilities shall be booked through the prison on which count the prisoner is on. The Superintendent/OIC shall approve the visits and inform the supervising officers; prisoners shall not receive visitors without prior permission of the Superintendent/OIC of the prison.

### New visitors shall report to the prison on which count the prisoner is on to have their identification checked, unless in exceptional circumstances.

### When the visitor arrives for the booked visit, they must bring photographic ID to enable the escorting officers on the hospital sit to verify the identity of the visitor.

### Escorting Officers shall ensure no information about the prisoner is given to any visitor unless authorised by the Superintendent.

### Escorting Officers shall ensure photographs of prisoners are not taken without the approval of the Superintendent/OIC of the prison.

### Escorting Officers shall ensure prisoners do not make or receive phone calls without the prior permission of the Superintendent/OIC of the prison.

### Escorting Officers may request visitors at external facilities to place their personal belongings in a suitable storage area away from the prisoner.

### Escorting Officers have no authority to search visitors at external facilities.

## Secure Prisoner Unit at Fiona Stanley Hospital

### The Department’s Secure Prisoner Unit (Secure Unit) at Fiona Stanley Hospital (FSH) provides for the separation of prisoners from mainstream hospital users to minimise any unnecessary risk to the escort, the general public, and any potential disruption to FSH operations.

### The Secure Unit outpatient area is staffed between the operating hours of 0800-1600 hrs. Refer section 9.3.6 for arrivals outside of these times.

### Where the escort is conducted by Departmental staff, prison staff shall ensure Ventia staff at the secure unit are notified of the escort prior to the prisoner leaving the prison.

### Escorting Officers shall ensure all prisoners transit through the Secure Unit prior to the commencement of their scheduled appointments at FSH and at the conclusion of them.

### To access the Secure Unit, Escorting Officers shall park the escort vehicle, where available, either:

1. in the designated parking bays immediately outside the Secure Unit sallyport
2. in the designated parking bays adjacent to the Emergency Department (ED)
3. as directed by a member of the FSH Safety and Incident Management (SIMS) team.

### If an appointment is known in advance to be likely to run past 1600 hrs, Escorting Officers shall park the escort vehicle in the designated parking bay adjacent to the ED and liaise with the SIMS team control room (phone: 6152 2233) to coordinate entry and exit procedures into the Secure Unit.

### Escorting Officers shall ensure they communicate with the SIMS team control room regarding any escorts that occur outside the times listed in section 9.3.2.

## Hospital welfare rehabilitation & reintegration compliance checks

**Initial hospital placement**

### Within the first 24 hours of a hospital admission, the Superintendent shall instruct a member of their security team or an Officer of not less than the rank of Senior Officer, to conduct an initial welfare/security check using the [Hospital Sit Checklist](http://justus/intranet/prison-operations/Pages/copp-forms.aspx).

### The purpose of the initial check is to ensure the prisoner’s needs are met regarding any support, welfare and provision of services, as required, and that security is maintained.

### Prisoner checks shall be recorded on TOMS (offender notes) to include, where applicable, any information relevant to the prisoner’s management or wellbeing.

### Following the initial check, additional welfare/security checks shall be conducted at intervals not greater than 48 hours for the first 7 days and recorded on TOMS (offender notes).

### Completed checklists shall be forwarded to [Operational Compliance](mailto:OperationalCompliance@justice.wa.gov.au) within 12 hours of them being completed.

**Long term placement**

### Movements Officers shall ensure TOMS reflects the specific hospital facility for prisoners on long term hospital placement (hospital facility is selected under cell tab).

### Following the initial checks associated with initial hospital placement as outlined above, the Superintendent shall instruct a member of their security team or an officer of Senior Officer rank or higher to conduct weekly checks of the prisoner using the [Hospital Sit Checklist](http://justus/intranet/prison-operations/Pages/copp-forms.aspx) and recorded on TOMS.

### Completed checklists shall be forwarded to the Monitoring and Compliance Branch within 12 hours of the check being completed.

**Exemptions**

### Prisoners transferred to the Frankland Centre or prisoners admitted to external palliative care facilities are excluded from the initial hospital placement check, however, must be checked thereafter in accordance with the long term placement checks.

### In the event the weekly checks cannot be facilitated, contact must be made with the relevant Assistant Commissioner for a variation to the visit frequency.

# Medical Emergency

## General requirements

### An Escorting Officer shall accompany the prisoner in the ambulance, where a maximum or medium security prisoner is escorted to hospital. An Escorting Officer shall also accompany a minimum security prisoner in the ambulance unless an EMRA has been approved for a single Officer escort.

### One Escorting Officer shall follow the ambulance in an escort vehicle, where, on determination of risk or limitations of ambulance capacity, it is deemed appropriate.

### The following additional procedures apply when a prisoner is admitted to hospital following a Prison Officer escorted medical emergency:

|  |  |  |
| --- | --- | --- |
|  | **Procedure** | **Responsibility** |
| **1.** | Notify the Superintendent/OIC or delegate of the prisoner’s location. | Escorting Officers |
| **2.** | Notify the Superintendent if the prisoner’s health deteriorates to the extent that medical staff are of the view there is a serious or imminent threat to life. | Escorting Officers |
| **3.** | Immediately inform the Superintendent/OIC or delegate if a prisoner, who has been diagnosed with a terminal illness, requests another person (not listed on the current ‘Notification of Next of Kin or Another Person in the Event of a Life Threatening or Serious Injury’ form) be notified. | Escorting Officers |
| **4.** | Conduct a handover with Contractor staff, where applicable. | Escorting Officers |
| **5.** | Ensure all actions are recorded in the Occurrence Book. | Escorting Officers |

## Mental Health Act transfers

### The following escort procedures apply when the authorised hospital (generally the Frankland Centre) notifies the OPCEN by telephone (followed by an email) of a medical emergency of a prisoner under the *Mental Health Act 2014* to a general medical facility.

|  |  |  |
| --- | --- | --- |
|  | Procedure | Responsibility |
| **1.** | Attend the authorised hospital to conduct the escort and ensure the Prisoner Transfer Receipt s83 on TOMS is completed prior to departure. | Escorting Officers |
| **2.** | Meet medical staff at the authorised hospital, when the transfer of the prisoner to a medical facility is deemed urgent and unable to be delayed, and complete the Prisoner Transfer Receipt s83. | Escorting Officers |
| **3.** | Advise the OPCEN if the prisoner is subsequently admitted to a general medical facility and submit a Hospital Admittance Advice on TOMS. | Escorting Officers |
| **4.** | Notify the OPCEN prior to the prisoner moving back to the authorised hospital. | Escorting Officers |

# Other Escorts

## Funerals/other compassionate leave/visits to dangerously ill relatives

### Escorting Officers shall deliver the prisoner to the approved destination in a timely manner in accordance with [COPP 12.2 – Coordination of Escorts](http://justus/intranet/prison-operations/Pages/prison-copps.aspx) and [COPP 14.5 – Authorised Absences and Absence Permits](http://justus/intranet/prison-operations/Pages/prison-copps.aspx) and contact the relevant Superintendent for approval to make arrangements to extend the period of absence if required.

## Inter-prison transfers

### Escorting Officers shall conduct inter-prison transfers, in accordance with [COPP 12.4 – Prisoner Transfers](http://justus/intranet/prison-operations/Pages/prison-copps.aspx).

## Lockup clearances

### The transport services Contractor shall conduct both metropolitan and regional lockup clearance of prisoners to the respective prison as follows:

**Metropolitan - Northbridge Police Complex**

### Escorting Officers shall conduct the daily clearance of prisoners from the Northbridge Police Complex (other than on Sundays and some Public Holidays) and transport to prisons (Hakea Prison or Melaleuca Women’s Prison (or as directed) no later than one hour after the last person has been dealt with in court.

**Regional**

1. Escorting Officers shall conduct Lockup clearances and the transport of prisoners from agreed ‘hubs’ in accordance with [Appendix A: Regional Hub Locations/Prisons](#_Appendix_D:_Regional).

## Royal flying doctor service

### Escorting Officers shall conduct the escort of a prisoner being transported via the Royal Flying Doctor Service, in accordance with the requirements of this COPP and [COPP 12.2 Coordination of Escorts](http://justus/intranet/prison-operations/Pages/prison-copps.aspx).

### An Escorting Officer shall remain seated with the prisoner during the flight.

### Escorting Officers shall be aware the pilot is under no obligation to carry prisoners if he/she believes the safety of the aircraft could be compromised.

# Incident Reporting

### Escorting Officers shall complete and submit an Incident Report on TOMS in accordance with [COPP 13.1 – Incident Reporting and Notifications](http://justus/intranet/prison-operations/Pages/prison-copps.aspx), and where applicable, in addition, submit an ePEMS report to the CS & CS Contract Manager, providing full details of the reasons for their actions, if:

1. additional restraints were used on the prisoner (eg minimum security prisoner at risk of self-harm); or
2. the prisoner’s behaviour changed during the escort to an extent that restraints were deemed necessary.

### The Contractor shall advise the relevant prison of incidents involving prisoners by:

1. advising the prison’s reception and security staff of the existence of the incident as soon as practicable following the incident
2. advising Reception Officers of the incident at the time of the prisoner handover

# Annexures

## Related COPPs and other documents

**Related COPPs**

* [COPP 3.1 – Managing Prisoner Property](http://justus/intranet/prison-operations/Pages/prison-copps.aspx)
* [COPP 4.6 – Trans, Gender Diverse and Intersex Prisoners](http://justus/intranet/prison-operations/Pages/prison-copps.aspx)
* [COPP 9.1 – Cultural, Religious and Spiritual Services](http://justus/intranet/prison-operations/Pages/prison-copps.aspx)
* [COPP 11.2 – Searching](http://justus/intranet/prison-operations/Pages/prison-copps.aspx)
* [COPP 11.3 – Use of Force and Restraints](http://justus/intranet/prison-operations/Pages/prison-copps.aspx)
* [COPP 11.6 – Vehicle Management](http://justus/intranet/prison-operations/Pages/prison-copps.aspx)
* [COPP 12.1 – Escort Vehicles](http://justus/intranet/prison-operations/Pages/prison-copps.aspx)
* [COPP 12.4 – Prisoner Transfers](http://justus/intranet/prison-operations/Pages/prison-copps.aspx)
* [COPP 12.7 – Warrants](http://justus/intranet/prison-operations/Pages/prison-copps.aspx)
* [COPP 13.1 – Incident Reporting and Notifications](http://justus/intranet/prison-operations/Pages/prison-copps.aspx)
* [COPP 14.6 – Prisoners Released from Custody](http://justus/intranet/prison-operations/Pages/prison-copps.aspx)

**Other documents**

* [Minimum Standards for Secure Escort Vehicles](http://justus/intranet/contracts-purchasing/Documents/vehicle-standards-prisoner-escort.docx)
* Escort Procedures Training Manual

## Definitions and acronyms

|  |  |
| --- | --- |
| **Term** | **Definition** |
| Admission to Hospital | Where a prisoner is accepted for inpatient services at a hospital |
| ANCOR | Australian National Child (Sex) Offender Register |
| Appointment | Any medical appointment, consultation, examination, treatment or procedure |
| 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 |
| Authorised hospital | In accordance with s. 541 *Mental Health Act 2014,* is a public hospital, or part of a public hospital in respect of which an order is in force or is a private hospital the licence of which is endorsed under s. 26DA(2) *Hospitals and Health Services Act 1927* |
| 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. |
| Contract Director | As defined in Schedule 14 of the CS & CS Contract |
| Contract Manager (Corrective Services) | The relevant Contract Manager appointed to manage the Court Security and Custodial Services Contract, or the Contract for a privately operated prison under Part IIIA of the *Prisons Act 1981*. |
| Court | Courts and Tribunals of Western Australia and any place in Western Australia where a person or body acts judicially |
| Contractor | The organisation engaged to provide prisoner transport services under the *Court Security and Custodial Services Act 1999.* |
| electronic Prisoner Escort Management System (ePEMS) | The CS&CS Contractor’s electronic Prisoner Escort Management System used for recording events related to prisoners in their custody. |
| End point of the escort | The end point of an escort is either (as applicable):   * the room where a consultation is to occur (eg for medical appointments)   The point at which escorting officers are no longer responsible for the security of the prisoner (eg for an inter-prison transfer, court appearance, etc.) |
| Escorting Officers | A Prison Officer, officer employed under the CS & CS Contract, or an officer employed by a private prison contractor who is trained to conduct prisoner escorts. |
| Escorted travel | Prisoner movement between two locations on a departmental owned, chartered or contracted vehicle or aeroplane, while under escort by Western Australia Police Force or escorting officers. |
| Essential Medication | Medication authorised by Health Services clinicians that in its absence would have a profound or significant effect on the prisoner’s health and/or fitness to travel at that time. |
| Fitness to travel | A prisoner’s ability to undertake vehicle or air travel in an air-conditioned vehicle, subject to adequate rest stops, sustenance and hydration and the availability of essential medication, without significant medical risk. |
| 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 |
| Hospital sit | Supervision of a prisoner whilst admitted to a hospital |
| ICMS | Integrated Court Management System |
| Judicial Body | A court, tribunal or other body or person that has judicial or quasi-judicial functions or otherwise acts judicially |
| Medical appointment | An appointment made with a designated medical practitioner at a designated time at a location external to the prison |
| Medical Emergency | A medical incident where medical assistance is required to provide treatment that is necessary to save a life or prevent serious harm and requires immediate action to prevent further deterioration. |
| Movements Officer | The Officer responsible for preparing and providing prisoner movements information for prisoners based at the prison. This includes completing and collation of the paperwork and associated TOMS records necessary to facilitate the transfer, movement and release of prisoners |
| Officer in Charge (OIC) | An Officer designated as having the charge and superintendence of a prison in the absence of the Superintendent |
| Operations Centre (OPCEN) | The Operations Centre (OPCEN) is a central business unit for Corrective Services under the Operational Support Directorate (OPSPT) comprising Prisoner Movements and Response Coordination. The OPCEN has multiple functions, including providing reporting to stakeholders regarding Critical Incidents; security and operational advice for incident management; identifying and mitigating risk; coordination of inter-prison transport and stakeholder engagement. |
| Outpatient | Prisoner who attends a hospital for treatment without being admitted |
| PiC | Person in custody |
| Postnatal prisoner | A prisoner having given birth but prior to the prisoner’s discharge from hospital. A prisoner may be deemed as postnatal for the purposes of these procedures post birth (within 6 weeks of the birth) by Health Services staff. Deeming such prisoners as postnatal shall occur prior to each individual escort, in consultation with the Superintendent |
| Pregnant Prisoner | A prisoner confirmed to be pregnant by medical staff |
| Prisoner | Any person in lawful custody as defined in s.3 *Prisons Act 1981*; 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*. |
| Prison Officer | A person engaged or deemed to have been engaged to be a prison officer under s. 13 [*Prisons Act 1981*](http://www.slp.wa.gov.au/legislation/statutes.nsf/main_mrtitle_751_homepage.html)or deemed to have been appointed under s. 6 to an office designated. |
| Public Service Officer | An officer employed in the State Government Public Service, subject to Part 3 *Public Sector Management Act 1994* and includes such officers and other persons as are necessary to implement or administer this Act |
| Relevant Assistant Commissioner | Either the Assistant Commissioner Custodial Operations (Adult Male Prisons) or Assistant Commissioner Women and Young People. |
| Restraints | Approved instruments of restraint as per [COPP 11.3 – Use of Force and Restraints](http://justus/intranet/prison-operations/Pages/prison-copps.aspx) |
| Return Order | A direction issued by a prison for the return of a prisoner from court, where instrument(s) authorising the detention of the prisoner remain after court proceedings |
| Staff | Any person in the paid or unpaid employment of the Department of Justice, Corrective Services, including contractors, subcontractors and volunteers. |
| 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)and includes any reference to the position responsible for the management of a private prison under Part III(A)[*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 |
| T&D sheet | Transfer & Discharge sheet produced through TOMS |
| Total Offender Management Solution (TOMS) | An electronic database used by the Department of Corrective Services to record and manage comprehensive information relating to prisoners and detainees. |
| Woman | An adult female human being. |
| Warrant | A written order of a judicial body, including a Bring Up Order (includes courts, tribunals, Royal Commission, CCC) |

## Related legislation

* *Court Security and Custodial Services Act 1999*
* *Hospitals and Health Services Act 1927*
* *Mental Health Act 2014*
* [*Prisons Act 1981*](http://www.slp.wa.gov.au/legislation/statutes.nsf/main_mrtitle_751_homepage.html)
* *Prison Regulations 1982*

# 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 within Head Office will undertake management oversight as required.
* Operational 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

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Version no | Primary author(s) | Description of version | Date completed | Effective date |
| 1.0 | Operational Policy | Approved by the A/Director Operational Projects, Policy, Compliance and Contracts | 1 December 2020 | 4 January 2021 |
| 2.0 | Operational Policy | Amended version approved by the A/Commissioner | 29 January 2021 | 2 February 2021 |
| 3.0 | Operational Policy | Approved by the Commissioner | 14 December 2021 | 29 December 2021 |
| 4.0 | Operational Policy | Approved by the A/Director Operational Policy, Compliance and Contracts | 2 March 2022 | 8 March 2022 |
| 5.0 | Operational Policy | Approved by the Commissioner | 31 August 2022 | 9 September 2022 |
| 6.0 | Operational Policy | Approved by the A/Director Operational Policy, Compliance and Contracts | 20 April 2023 | 20 April 2023 |
| 7.0 | Operational Policy | Approved by the Commissioner | 26 October 2023 | 19 December 2023 |

Appendix A: Regional Hub Locations/Prisons

|  |  |  |
| --- | --- | --- |
| **District** | **Hub Locations for Lock-Up Clearances** | **Receiving Prison** |
| Kimberley | Broome, Halls Creek, Kununurra, Derby, Fitzroy Crossing | Broome Regional Prison  West Kimberley Regional Prison |
| Pilbara | Karratha, Newman, South Hedland | Roebourne Regional Prison |
| Mid-West | Geraldton, Meekatharra, Carnarvon, Wiluna | Greenough Regional Prison |
| Wheatbelt | Northam, Merredin, Moora | Hakea Prison or Melaleuca Women’s Prison |
| Goldfields | Kalgoorlie, Laverton, Leonora, Warburton, Norseman, Esperance | Eastern Goldfields Regional Prison |
| Great Southern District | Albany, Katanning, Narrogin | Albany Regional Prison |
| South West | Bunbury | Bunbury Regional Prison (male prisoners only)  Melaleuca Women’s Prison (women prisoners only) |

1. Part 2, Division 2, s. 18 *Court Security and Custodial Services Act 1999* [↑](#footnote-ref-1)
2. s. 23, s. 26, s. 59, s. 85 (1) & s. 95 *Prisons Act 1981*, s. 28 *Criminal Law (Mentally Impaired Accused) Act 1996* [↑](#footnote-ref-2)
3. s. 83(1) *Prisons Act 1981* [↑](#footnote-ref-3)
4. s. 18 *Prisons Act 1981* [↑](#footnote-ref-4)
5. s. 14(1)(d) & s. 14(2) *Prisons Act 1981* [↑](#footnote-ref-5)
6. s. 42 *Prisons Act 1981* [↑](#footnote-ref-6)
7. Schedule 2, Division 2, s. 12 *Court Security and Custodial Services Act 1999* [↑](#footnote-ref-7)
8. *CS & CS Act 1999* [↑](#footnote-ref-8)