COPP 14.3 Re-Socialisation Programme

Prison

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| **Principles**  *As referenced in the* [Guiding Principles for Corrections in Australia, 2018](https://dojwa.sharepoint.com/sites/intranet/department/standards/Pages/ops-standards.aspx)*:*  4.2.7 Correctional services develop practises, programmes and interventions that support resilience in prisons/offenders, help them adapt to stresses in a timely and efficient manner, and cope with any changes in their circumstances.  5.2.2 Prisoners are supported to maintain family relationships and links to the community through personal and professional visits.  5.2.3 Prisoners can access relevant staff, external services/agencies, and family and community groups to assist in meeting their reintegration needs.  5.2.4 Aboriginal and Torres Strait Islander prisoners are provided with culturally relevant reintegration and post release services.  5.2.5 Restrictions on movement, such as curfews and home detention, prioritise public safety while preparing offenders for their return to unrestricted independent living.  5.2.6 Temporary leave programmes are available to eligible prisoners, to support reintegration through continued engagement with family and community, and access to education, training, and employment opportunities. |

**Contents**

[1 Scope 3](#_Toc153271620)

[2 Policy 3](#_Toc153271621)

[3 Application 4](#_Toc153271622)

[3.1 Prisoners serving life or indefinite sentences 4](#_Toc153271623)

[3.2 Prisoners serving fixed term sentences of a prescribed length 4](#_Toc153271624)

[3.3 Prisoners subject to extradition 4](#_Toc153271625)

[4 Suitability 5](#_Toc153271626)

[5 Development 5](#_Toc153271627)

[5.1 Programme structure 5](#_Toc153271628)

[5.2 Programme conditions 6](#_Toc153271629)

[5.3 Programme activities 6](#_Toc153271630)

[6 Endorsement 7](#_Toc153271631)

[7 Implementation 7](#_Toc153271632)

[7.1 Approval 7](#_Toc153271633)

[7.2 Progress review – additional reports 8](#_Toc153271634)

[7.3 Suspension 9](#_Toc153271635)

[7.4 Cancellation 10](#_Toc153271636)

[7.5 Completion 10](#_Toc153271637)

[8 Subsequent Reviews 10](#_Toc153271638)

[9 Annexures 12](#_Toc153271639)

[9.1 Related COPPs 12](#_Toc153271640)

[9.2 Definitions and acronyms 12](#_Toc153271641)

[9.3 Related legislation 13](#_Toc153271642)

[10 Assurance 13](#_Toc153271643)

# Scope

This Commissioners Operating Policy and Procedure (COPP) applies to all prisons administered by or on behalf of the Department of Justice (the Department).

# Policy

Re-Socialisation Programmes (RSP) provide long-term prisoners the opportunity to gradually reintegrate into the community and prepare for release.

A RSP is for prisoners serving life or indefinite sentences, or fixed term sentences of a prescribed length as per [s 13 and s 14 *Sentence Administration Act 2003*](http://www.slp.wa.gov.au/legislation/statutes.nsf/main_mrtitle_887_homepage.html) and [part 1A *Sentence Administration Regulations 2003*](#_top).

The aim of a prisoner’s participation in a RSP may include the need to:

* prepare the prisoner for return to the community so any threat they may pose to the public is minimised and the prisoner’s ability to pursue an effective, constructive, and law-abiding lifestyle is maximised
* counter the negative effects of institutionalisation
* facilitate the prisoner’s reintegration with their family and the community
* develop the prisoner’s educational and employment skills
* develop the prisoner’s life skills, such as budgeting, finding accommodation, and cooking etc.
* develop the prisoner’s social skills, including communication skills, assertion, and relationship skills etc.

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[[1]](#footnote-1).

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.

# Application

## Prisoners serving life or indefinite sentences[[2]](#footnote-2)

### A RSP largely applies to prisoners serving life or indefinite sentences.

### These prisoners shall be reviewed by the prison for inclusion in a RSP:

1. 2 years and 3 months prior to the prisoner’s Statutory Review Date (SRD);
2. within 3 months of imprisonment if the SRD is less than 2 years and 3 months.

### The date when the prisoner’s initial prison RSP suitability report is due, and as set out in their Individual Management Plan (IMP).

### For prisoner’s serving life/indefinite sentences, the report must be forwarded to the Prisoners Review Board (PRB) no later than 2 years prior to the prisoner’s SRD, irrespective of any Earliest Eligibility Date (EED), unless otherwise advised by the PRB[[3]](#footnote-3).

### Following a recommendation by the PRB, approval for these prisoners to participate in a RSP is required from the Attorney General and the Governor.

## Prisoners serving fixed term sentences of a prescribed length[[4]](#footnote-4)

### During the sentence, the PRB may undertake Board Case Reviews for prisoners serving a fixed term sentence of a prescribed length.

### A RSP for these prisoners is often discouraged, as generally they are eligible to apply for release planning activities as a sentenced prisoner, if and when they achieve a minimum security status and placement.

### Prisoners serving a fixed term sentence of a prescribed length shall only be assessed for their suitability to participate in a RSP if a request for an assessment is received from the PRB. Sentence Management shall formally request the prison assesses the prisoner’s suitability for inclusion in a RSP. The assessment shall be completed at least 8 weeks prior to the next PRB review date.

### For prisoners serving a fixed term sentence of a prescribed length, participation in a RSP can be approved by the PRB.

## Prisoners subject to extradition

### Prisoners who are subject to confirmed extradition are unlikely to be deemed suitable for participation in a RSP.

# Suitability

### A RSP Suitability Report, in Total Offender Management Solution (TOMS), shall be prepared by officers to assess a prisoner’s suitability for a RSP. The report shall be reviewed at a Case Conference meeting, with the benefit of any additional reports or information (i.e. input from prison, community corrections, and psychological services etc.).

### The Case Conference Chairperson must, as part of the review of the case, consider previous information such as:

1. Incident reports
2. IMP’s
3. TOMS offender notes regarding the prisoner’s general behaviour, stability, and attitude in custody throughout their sentence.

### The Case Conference shall recommend whether the prisoner is suitable for inclusion in a RSP and whether the Department can facilitate such a programme. A Community Corrections Officer (CCO) may attend the Case Conference and must submit a written report prior to the Case Conference.

### The authorised Assistant Superintendent shall endorse the Case Conference recommendation and forward the recommendation and additional documentation, including submissions made by the prisoner to Sentence Management.

### Sentence Management shall conduct a comprehensive RSP Suitability Assessment and obtain endorsement from the Authorised Executive, regarding the Department’s ability to facilitate a RSP and the prisoner’s suitability.

### If the prisoner has a restricted visits alert and requires placement at Boronia Pre-Release Centre for Women as part of an approved RSP, the Forensic Psychological Service will assess whether the prisoner’s placement at Boronia is suitable.

### Sentence Management shall forward the Authorised Executive’s advice and recommendation to the PRB.

### Provided the Authorised Executive advice states a RSP can be facilitated, irrespective of the recommendation regarding suitability for participation in a programme, the PRB will determine an individual prisoner’s general suitability for participation. The PRB may request the Department to prepare a RSP for consideration.

# Development

## Programme structure

### Where the PRB requests the Department prepare a RSP for its consideration, the Authorised Assistant Superintendent shall plan for a programme to be formulated and considered by the Case Conference.

### A RSP report shall be prepared by completing the Re-Socialisation Programme Checklist on TOMS.

### Further assessment reports are not required, unless there have been significant changes in the prisoner’s situation since suitability for inclusion in a RSP was considered.

### The Manager Release Planning shall assist the Authorised Assistant Superintendent to determine the length of the RSP.

### RSPs consist of one or more stages. Information to be listed at each stage of the programme shall include:

1. duration
2. security rating
3. placement
4. programme activities (include details of [s 95 *Prisons Act 1981*](http://www.slp.wa.gov.au/legislation/statutes.nsf/main_mrtitle_751_homepage.html)activities, whether in the prison or in the community)
5. outcomes to be achieved as a result of the prisoner’s participation in activities.

### Where the prisoner will be placed in another prison for the RSP, when formulating the programme, each prisons Authorised Assistant Superintendent must be initially consulted and given the opportunity to comment on the proposed RSP.

### When developing the programme, the Authorised Assistant Superintendent shall ensure the Manager Release Planning is given the opportunity to comment on the proposed RSP prior to finalising in TOMS.

## Programme conditions

### RSPs comprise of a number of conditions in which the prisoner must adhere to. Conditions which are to be enforced throughout the period of the programme may include:

1. demonstrate that the prisoner can adjust and cope with the added responsibility and freedom associated with the status of a minimum security prisoner
2. comply with any Absence Permit(s) issued under [s 83 *Prisons Act 1981*](http://www.slp.wa.gov.au/legislation/statutes.nsf/main_mrtitle_751_homepage.html)and as per [COPP 14.5 – Authorised Absences and absence permits.](https://dojwa.sharepoint.com/sites/intranet/prison-operations/Pages/prison-copps.aspx)
3. comply with any Victim Mediation Unit (VMU) conditions and adhere to any updated VMU conditions
4. maintain good work standards and behaviour

## Programme activities

### RSPs consist of activities that contribute to the rehabilitation of a prisoner and the prisoner’s successful reintegration into the community. When completing a RSP checklist each activity must identify an outcome to be achieved that can be evaluated.

### The activities of a RSP usually include:

1. transfer to a minimum security facility/placement, with initial placement in shared accommodation
2. participation in supervised and/or unsupervised external activities
3. maintain contact with the Home Leave sponsor
4. inclusion in the Home Leave Program
5. inclusion in the Prisoner Employment Program (PEP)
6. driver training and education (preferably in the final 2 stages of the RSP)
7. referral and engagement in individual counselling (if recommended by the assessing psychologist)
8. liaison with the Transitional Manager
9. preparation of a viable parole plan
10. compliance with prescribed medication regime (if applicable)
11. undergo regular and random urinalysis/breath testing
12. referral and engagement with a community based drug and alcohol agency, such as Allied Drug and Alcohol Programme Treatment and/or Alcoholics/Narcotics Anonymous
13. engagement with external community support agencies.

# Endorsement

### As part of Case Conference, the prisoner is to endorse the proposed RSP indicating whether or not they understand and agree with the programme.

### The Authorised Assistant Superintendent shall forward the endorsed RSP to the Manager Release Planning.

### The Manager Release Planning may request Case Conference to consider changes to the proposed RSP or may vary the proposed RSP and advise the Authorised Assistant Superintendent.

### Sentence Management shall submit the proposed RSP to the Authorised Executive for endorsement.

### When endorsed, Sentence Management shall submit the proposed RSP to the PRB.

# Implementation

## Approval

### As per [clause 3D *Sentence Administration Regulations* *2003*](http://www.slp.wa.gov.au/legislation/statutes.nsf/main_mrtitle_2041_homepage.html)although approval to commence a RSP may be obtained earlier, a prisoner may not commence an approved programme until the period remaining to the SRD, EED, or Earliest Date of Release equals the length of the programme plus:

1. 3 months for life and indefinite sentences
2. 1 month for fixed term sentences.

### For prisoners serving life/indefinite sentences, the PRB Secretariat advises the Manager Release Planning of the approval/non-approval of the RSP and provides copies of the signed RSP and Executive Council Minute.

### Where a strict security life, strict, or safe custody prisoner is approved for a RSP and a prison transfer is required to commence the programme, the Executive Council Minute shall include the approval required to transfer to a different prison/facility.

### The Manager Release Planning shall complete a decision slip on TOMS to reflect the Governor’s decision.

### When the necessary approval documentation has been obtained and the decision slip has been completed by the Manager Release planning, the relevant prison will review the prisoner’s security rating and placement and complete a decision slip on TOMS to enable the prisoner to commence the RSP.

### The Manager Release Planning will advise the PRB of the anticipated RSP commencement and completion dates, and Victim Notification Register if applicable.

### If the prisoner is serving a life/indefinite sentence the prison is to refer to the RSP that has been endorsed by the Attorney General/Governor and no other version. If the prisoner is serving a fixed term sentence the prison is to use the RSP which has been endorsed by the PRB and no other version.

### An approved RSP replaces the need for a prisoner’s IMP, as per [COPP 2.3 – Assessment, Placement and Sentence Management.](https://dojwa.sharepoint.com/sites/intranet/prison-operations/Pages/prison-copps.aspx)

### A copy of the approved RSP shall be provided to the prisoner and the Department will implement the RSP as far as reasonably practicable[[5]](#footnote-5).

## Progress review – additional reports

### The RSP Progress Review Checklist on TOMS shall be completed to report on the prisoner’s progress on their RSP. Additional reports shall be required as follows:

1. Home Leave application checklist (if being considered for Home Leave in the next stage)
2. PEP application checklist (if being considered for PEP in the next stage).

### All required reports are to be completed at least one week before the end of the current stage of the programme.

### Progress review reports shall address the prisoner’s progress on activities and general progress in terms of matters relevant to the next stage of the programme (e.g. Home Leave, PEP).

### Case Conference shall consider the prisoner’s progress, calling for relevant reports from the CCO and/or Employment Co-Ordinator as required:

1. CCO report if the prisoner is being considered for Home Leave
2. Employment Co-Ordinator’s report if the prisoner is being considered for PEP.

### Where the prisoner has had contact with the CCO, this is to be noted as part of the review. The CCO shall be contacted to provide any relevant information associated with the prisoner’s progress.

### The authorised Assistant Superintendent shall forward all relevant documentation (not available electronically) to the Manager Release Planning.

### Generally, the Manager Release Planning shall give approval for the prisoner to commence the next stage of a programme. However, in some instances, the PRB may request to be involved in the process.

### When the necessary approvals have been obtained, the authorised Assistant Superintendent shall ensure the next stage of the programme commences.

### Upon completion of the RSP, a final Re-Socialisation Programme Progress Review Report and a Parole Review EXCO Approval Report is to be completed.

### If the prison has any concerns regarding the prisoner’s ability to complete an activity of their RSP, the Manager Release Planning should be advised. Should an activity not be completed, the Manager Release Planning shall consider the circumstances and inform the PRB where necessary.

## Suspension

### The Manager Release Planning, Director Sentence Management or Authorised Executive may suspend the programme at any time if:

1. the prisoner’s conduct and behaviour are unsatisfactory
2. the prisoner is unable to comply or fulfil a component of the programme, or
3. any other reason that may impact on the good order and security of the prison or the safety of the public.

### The Manager Release Planning should be immediately advised of any incident that might cause programme suspension.

### Where the prison recommends a suspension of a RSP, written advice through Case Conference and any relevant documentation is to be forwarded to Sentence Management as soon as possible.

### The Superintendent may, at any time, temporarily suspend an absence permit, transfer, or place the prisoner participating in a RSP in a secure environment for the good order and security of the prison or to ensure public safety.

### Sentence Management is to be advised no later than the next working day of the decision and the reasons for the decision. Sentence Management will then determine whether the programme is to be suspended.

### If the RSP is suspended, Sentence Management is to immediately advise the prison by way of a TOMS decision slip. Sentence Management is to advise the PRB of the suspension within 3 working days.

### Following suspension of a RSP, Sentence Management will provide written advice within 28 days to the PRB, detailing the circumstances of the suspension with advice as to whether the Department can facilitate the reinstatement of the RSP.

### If the RSP is suspended the prisoner may be returned to secure custody while awaiting a decision by the PRB, as to whether the programme is to be cancelled or resumed.

## Cancellation

### Only the PRB may cancel a prisoner’s participation in a RSP.

### If the RSP is cancelled the prisoner is to be returned to/remain in secure custody and the RSP is considered no longer valid.

### For the next PRB review following cancellation of the programme, the prison will complete the appropriate TOMS checklist as specified by the PRB.

## Completion

### A prisoner’s RSP is deemed completed once the identified timeframe of the programme has ended.

### Reinstatement of an IMP following completion of a prisoner’s RSP is to occur in accordance with [COPP 2.3 – Assessment, Placement and Sentence Management.](https://dojwa.sharepoint.com/sites/intranet/prison-operations/Pages/prison-copps.aspx)

### Following RSP completion, the prisoner may remain at the minimum security placement continuing to undertake release planning activities, which were approved during the final stage of the RSP, while awaiting a decision by the PRB and/or Attorney General/Governor.

### Release planning activities are limited to external activities, Home Leave, and PEP. The prison shall regularly review the prisoner’s participation in these activities while awaiting a decision by the PRB and/or Attorney General/Governor.

### If the PRB does not recommend the life or indefinite sentenced prisoner’s release on parole, or the Attorney General/Governor indicates or determines parole will not be approved, the prisoner must be returned to secure custody and their participation in any release planning activities will cease.

# Subsequent Reviews

### The Parole Review – EXCO Approval checklist on TOMS is to be used for all subsequent reviews, where the prisoner’s inclusion in a RSP is adjourned by the PRB, or the RSP is not approved, unless the PRB requests a further Re-Socialisation Programme Stability Report.

### The Parole Review – EXCO Approval Checklist shall indicate the prisoner’s current situation and progress to date.

### Case Conference is to be completed 8 weeks prior to the next PRB review date. Case Conference shall review the prisoner with consideration to any specific PRB requests and the benefit of any additional reports or information (i.e. input from prison, Community Corrections, Psychological Services etc.).

### The Manager Release Planning is to ensure that a relevant report will be obtained addressing any specific matter(s) referred to when the PRB adjourned a decision.

# Annexures

## Related COPPs

* [COPP 2.3 – Assessment, Placement and Sentence Management](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

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| Term | Definition |
| Authorised Assistant Superintendent | The Assistant Superintendent or Manager Assessments (or in the case of privately operated prisons, the relevant Assistant Director) of the prison whose responsibilities include prisoner management and/or assessments. The Authorised Assistant Superintendent is authorised by the Superintendent to undertake the responsibilities as per this COPP. |
| Authorised Executive | The position that has the delegated authority under the [*Sentence Administration Act 2003*](http://www.slp.wa.gov.au/legislation/statutes.nsf/main_mrtitle_887_homepage.html) (Section 13) and [*Sentence Administration Regulations 2003*](http://www.slp.wa.gov.au/legislation/statutes.nsf/main_mrtitle_2041_homepage.html) |
| Case Conference | A formal meeting convened to discuss a prisoner’s assessment documentation including initial and subsequent IMP Reviews. Special Case Conferences can also be called when there are particular concerns about a prisoner's behaviour or circumstances |
| CCO | Community Corrections Officer |
| 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 |
| Department | Department of Justice |
| EED | Earliest Eligibility Date |
| EXCO | Executive Council |
| Home Leave | Home Leave provides minimum-security prisoners with the opportunity to re-establish relationships with their families and communities through programmed periods of leave. Home Leave aims to offset the effects of institutionalisation and assist a prisoner’s reintegration into society |
| Individual Management Plan (IMP) | The approved plan developed in consultation with treatment and education assessors, 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. |
| TOMS Offender Notes | Part of TOMS where information relating to a prisoner’s Individual Management Plan (or other behaviour/situation that may impact on the prisoner’s IMP), may be recorded by the Case Officer or other staff member. Offender’s notes inform interested parties as to the prisoner’s current situation |
| PEP | Prisoner Employment Program |
| Prisoners Review Board (PRB) | The Board established under [Section 102 of the *Sentence Administration Act 2003*](http://www.slp.wa.gov.au/legislation/statutes.nsf/main_mrtitle_887_homepage.html). |
| RSP | Re-Socialisation Programme |
| SRD | Statutory Review Date |
| Total Offender Management Solution (TOMS) | An electronic database used by the Department of Corrective Services to record and manage comprehensive information relating to prisoners |
| Victim Notification Register | An information service for victims of crime to provide information about an offender under the supervision of Corrective Services and any changes in their circumstances |

## Related legislation

* *Criminal Law (Unlawful Consorting and Prohibited Insignia) Act 2021*
* [*Prisons Act 1981*](http://www.slp.wa.gov.au/legislation/statutes.nsf/main_mrtitle_751_homepage.html)
* [*Prisons Regulations 1982*](http://www.slp.wa.gov.au/legislation/statutes.nsf/main_mrtitle_1947_homepage.html)
* [*Sentence Administration Act 2003*](http://www.slp.wa.gov.au/legislation/statutes.nsf/main_mrtitle_887_homepage.html)
* [*Sentence Administration Regulations 2003*](http://www.slp.wa.gov.au/legislation/statutes.nsf/main_mrtitle_2041_homepage.html)*.*

# Assurance

It is expected that:

* Prisons will undertake local compliance in accordance with the [Compliance](https://dojwa.sharepoint.com/sites/intranet/department/standards/Pages/monitoring.aspx) Manual.
* The relevant Deputy Commissioner will ensure that management oversight occurs as required.
* Monitoring and Compliance Branch will undertake checks in accordance with the Operational [Compliance](https://dojwa.sharepoint.com/sites/intranet/department/standards/Pages/monitoring.aspx) Framework.
* 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 A/Director Operational Projects, Policy, Compliance and Contracts | 28 July 2021 | 13 September 2021 |
| 2.0 | Operational Policy | Scheduled Review, Approved by A/Director Operational Projects, Policy, Compliance and Contracts | 14 August 2023 | 17 August 2023 |
| 3.0 | Operational Policy | Approved by the Commissioner Corrective Services  CM:S23/112764 | 4 December 2023 | 12 December 2023 |

1. Part 3 *Criminal Law (Unlawful Consorting and Prohibited Insignia) Act 2021* [↑](#footnote-ref-1)
2. The *Sentencing Legislation Amendment Act 2016* (proclaimed 7 December 2016) provides that sentences formerly administered under the *Offenders Community Corrections Act 1963* are now reviewed under the *Sentence Administration Act 2003*. The immediate effect of this arrangement was that these prisoners are now eligible for a RSP. [↑](#footnote-ref-2)
3. r. 3B *Sentence Administration Regulations 2003* [↑](#footnote-ref-3)
4. Refer Section 3A of the *Sentence Administration Regulations 2003* for prescribed term lengths. [↑](#footnote-ref-4)
5. Section 13 (7) of the *Sentence Administration Act 2003*. [↑](#footnote-ref-5)