

Guiding Principles for Corrections in Australia

Revised 2018





Justice
and Community
Safety



Government of **Western Australia**
Department of **Justice**
Corrective Services



Guiding Principles for Corrections in Australia

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Introduction

The *Guiding Principles for Corrections in Australia* ('the Principles') represent a national intent around which each Australian state and territory will develop its practices, policies, and performance standards.

The Principles are outcomes focused articulating the impact of correctional services and interventions rather than the processes involved in corrections activities. They support Australian correctional services to achieve best practice in the following outcomes ('Outcomes'):

- Governance
- Respect
- Safety and security
- Health and wellbeing
- Rehabilitation and reintegration

The Principles contribute to the achievement of the Outcomes and are strategic statements rather than procedural instructions. They are intended to reflect social expectations of Australian correctional services and are aligned to recognise international best practice.

The Outcomes are seen as critical to achieving results, reducing reoffending and providing value for money across corrections in Australia.

In this revision of the Principles, there has been a focus on contemporary and emerging themes, trends and challenges facing corrections in Australia including:

- an increase in the numbers of prisoners/offenders managed in both community and custodial settings
- the continued and increased overrepresentation of Aboriginal and Torres Strait Islander people within the criminal justice system
- the management of radicalised and violent extremist prisoners/offenders
- a greater attention on reducing domestic and family violence
- the specific needs of particular prisoner cohorts including young adult offenders, women, aged and frail, Lesbian, Gay, Bisexual, Transgender, Queer and Intersex (LGBTQI) offenders, those with mental health issues and/or disabilities, and remand prisoners
- the impacts of social conditions (such as housing, health, education, employment)
- post sentence supervision and detention orders
- bail reviews and legislative reforms
- the ratification of the Optional Protocol to the Convention Against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (OPCAT)

- technological changes and innovation
- contracted services (including private providers, non-government organisations and in house contracted providers)

For more details on how these themes, trends and challenges impact contemporary corrections, see [The correctional environment](#).

The Principles also reinforce the importance of end-to-end case management and the integration of services provided by correctional agencies from the first point of contact to the completion of a legal order and community reintegration.



Image credit: Corrective Services NSW

About this document

The Principles support continuous improvement and reflect the diverse challenges and priorities of correctional services in Australia. They are designed to be inclusive of all prisoners/offenders, while acknowledging the unique needs of various cohorts. While particular groups may not be referenced in each Principle, the specific needs of different cohorts have been considered comprehensively in this revision.

The Principles include input from a broad range of stakeholders across Australia including:

- correctional services in each jurisdiction
- private correctional service providers
- key stakeholders in the criminal justice system such as inspectorates and health service providers

To inform the Principles, internationally accepted rules, standards and practices have been examined within the Australian context. Some of the frameworks considered include:

- *United Nations Standard Minimum Rules for the Treatment of Prisoners* ('the Mandela Rules')
- *United Nations Rules for the Treatment of Women Prisoners and Noncustodial Measures for Women Offenders* ('the Bangkok Rules')
- *United Nations Standard Minimum Rules for Noncustodial Measures* ('the Tokyo Rules')

The current and future impacts of other frameworks such as OPCAT have also been considered.

The Principles support the development of policies, procedures and performance standards that will fulfil OPCAT obligations and facilitate future National Preventive Mechanism (NPM) inspections.

The Principles should also be considered together with:

- *Indigenous Strategic Framework*, developed by the Corrective Service Administrators' Council (CSAC) Indigenous Working Group
- *Principles in Youth Justice in Australia*, which were developed by the Australasian Juvenile Justice Administrators
- recommendations of relevant Inquiries, Commissions and Inspectorates, as well as reviews and reforms in each jurisdiction

Guiding principles

Outcome 1: Governance

Correctional practice is governed by a framework of transparent and accountable decision-making. Prisoners and offenders are managed by competent and authorised persons in accordance with the law.

1.1 decision- making and accountability

1. Governance

- 1.1.1 Informed, impartial, appropriate and timely information is shared with courts, releasing authorities and other relevant stakeholders to support decision-making.
- 1.1.2 Significant changes in prisoners'/offenders' circumstances are communicated to courts, releasing authorities and other relevant stakeholders when sentence outcomes are impacted.
- 1.1.3 Conditions and penalties imposed by courts and releasing authorities are administered consistently.
- 1.1.4 Management systems, policies and procedures are evidence based and are informed by human rights principles and operational practice.
- 1.1.5 Relationships are established with key state and federal justice agencies to support and enhance information sharing.
- 1.1.6 Recommendations of relevant Inquiries, Commissions and Inspectorates are considered and implemented in policy and work practices when deemed appropriate.
- 1.1.7 A well-functioning health and safety system provides staff, visitors and prisoners/offenders with protection against harm to their health, safety and welfare.
- 1.1.8 Effective systems ensure that information is collected, collated and analysed, and intelligence is disseminated to relevant persons in an appropriate and timely manner.

**1.2
staff
recruitment,
training and
performance**

1. Governance

**1.3
requests,
enquiries and
complaint
management**

- 1.2.1 Correctional services foster diversity in the workforce.
 - 1.2.2 Appropriately qualified and trained staff engage with, supervise and manage prisoners/offenders.
 - 1.2.3 Staff have access to, and are informed of, current policies and procedures including those which set performance and behavioural expectations.
 - 1.2.4 Staff receive ongoing, industry specific training to support effective and consistent service delivery.
 - 1.2.5 Staff training strengthens understanding between people and contributes to cultural competency.
 - 1.2.6 Training programs for privately contracted service providers are approved by the state/territory.
 - 1.2.7 Staff are managed within a consistent framework with appropriate support to enhance work practices.
-
- 1.3.1 Effective systems provide prisoners/offenders with opportunities to make requests or complaints and access appropriate information.
 - 1.3.2 External review and oversight is supported through engagement with Official Visitors, including their free and unfettered access to all prisoners, staff and all areas of the prison, subject to any security and operational concerns.
 - 1.3.3 Complaints are promptly actioned and governed by a review framework that is fair, transparent and equitable.

- 1.4.1 Operational transparency supports effective oversight and builds community confidence in correctional practices.
- 1.4.2 All performance and inspection records are managed and maintained appropriately, to increase operational transparency without compromising security or personal privacy.
- 1.4.3 Independent inspections and investigations are encouraged, with recommendations and findings considered to improve policy and practice.
- 1.4.4 Operational performance (qualitative and quantitative) is monitored and reported against established standards and policy within a continuous improvement framework.
- 1.4.5 Privately contracted correctional services are bound by the operating standards of the state/territory.
- 1.4.6 Timely and independent reviews are undertaken in response to critical incidents, serious injury or loss of life, and findings are reported to relevant authorities.



Image credit: Department for Correctional Services South Australia

- 1.5.1 Comprehensive and contemporary information is recorded to support appropriate assessment and continued management of prisoners/offenders.
- 1.5.2 Records of sentence details, administration and personal information are maintained, used for legitimate purposes and secured from unauthorised access and use.
- 1.5.3 Prisoner/offender information is only released where there is a lawful purpose or duty of care prevails.
- 1.5.4 The exchange of prisoner/offender information occurs within a clear governance framework that supports the management of any risks to public safety and acknowledges the individual's right to privacy.
- 1.5.5 Personal information concerning staff and prisoners/offenders is stored securely and access is managed in accordance with legislation and privacy principles.
- 1.5.6 Records of staff misconduct and associated evidence are maintained to support decision-making.



Image credit: Queensland Corrective Services

Guiding principles

Outcome 2: Respect

Respect for human dignity is reflected in the values, beliefs and practices of correctional services in Australia.

2.1 equality, diversity and fairness

2. Respect

- 2.1.1 Custodial environments provide safe and humane containment of prisoners, commensurate with the assessed risk, recognising that the deprivation of liberty is deemed as punishment.
- 2.1.2 Prisoners are accommodated in a safe, clean and liveable environment which considers both risk and individual needs, particularly the needs of those who are most vulnerable.
- 2.1.3 Individual prisoners/offenders are managed and supervised in a manner that responds to their particular risk and needs, including the impacts of victimisation and trauma.
- 2.1.4 Female prisoners are placed separately to male prisoners.
- 2.1.5 Prisoners/offenders of all cultural backgrounds are treated and managed within the principles of substantive equality and according to their individual needs.
- 2.1.6 Prisoners are provided the opportunity to practice the religion, cultural or spiritual expression of their choice safely, unless that practice is contrary to the good order and management of the prison.
- 2.1.7 Any device worn by prisoners/offenders that is used to monitor their compliance with conditions is as unobtrusive as practicable, allowing them to be able to perform normal physical activity, maintain a reasonable level of privacy and use home amenities.
- 2.1.8 Restrictions placed on prisoners/offenders are no more than necessary to maintain safety and security and are based on individual assessment of risk.

2. Respect

2.2 first contact

- 2.1.9 Prisoners/offenders are provided with information about their sentence, its requirements and their management in a timely manner and in a form they can understand.
- 2.1.10 Visit facilities provide help to normalise contact arrangements and cater for the diverse needs of visitors to prisons.

2.3 legal rights and entitlements

- 2.2.1 Prisoners are informed of their rights and obligations upon admission to a correctional facility.
 - 2.2.2 Offenders are informed of their rights and obligations while subject to community corrections management, including the consequences of non-compliance.
 - 2.2.3 Prisoners are provided with timely opportunities to inform their families or other approved persons of significant changes in their circumstances, location and the visiting procedures which apply.
 - 2.2.4 Upon reception or transfer, prisoners undergo an initial assessment to identify any immediate needs and facilitate access to appropriate services, including health, interpreters and disability services.
-
- 2.3.1 Staff demonstrate respect for prisoners'/offenders' individual needs and rights to health and wellbeing.
 - 2.3.2 Prisoners are provided a minimum of one hour out of cell per day, and in fresh air (weather permitting).
 - 2.3.3 Prisoners/offenders are informed of their legal rights to privacy and confidentiality of personal and health information, including any limitations, at their first point of contact with corrections.

2. Respect

- 2.3.4 Policies and procedures establish clear expectations for service delivery and are readily available to relevant staff, prisoners/offenders and the public, unless security is compromised.
- 2.3.5 Access to lawyers, legal guardians, consular support and legal resources is provided to all prisoners in a manner consistent with security requirements.
- 2.3.6 Prisoners are provided with library services for legal, recreational and educational needs.
- 2.3.7 Access to interpreting and translation services is provided to any prisoner/offender who advises of, or is observed to have, difficulties in understanding or communicating in English.
- 2.3.8 Guardians authorised to make personal, health and lifestyle decisions on behalf of a prisoner/offender are informed of significant changes to the prisoner's/offender's circumstances as soon as practicable.
- 2.3.9 Remand prisoners are subject to fewer restrictions than sentenced prisoners provided the conditions under which they are managed do not adversely affect good order, security and safety.
- 2.3.10 Post sentence detention is managed in accordance with applicable legislation of the jurisdiction.
- 2.3.11 Prisoners who engage in work, rehabilitation programs or fulltime education are remunerated in line with the applicable policy/legislation.
- 2.3.12 Staff, prisoners and visitors are searched lawfully, in the least invasive manner possible and with due regard to their rights and dignity.
- 2.3.13 Appropriate and timely notifications are made in the event of a prisoner's death, life threatening injury or illness, admission to hospital or transfer to a mental health facility.

2. Respect

2.4 professional conduct

- 2.3.14 Immediate notification is made to the family (or other such nominated persons) and the appropriate Aboriginal Legal Service in the event of an Aboriginal and Torres Strait Islander person's death.
- 2.3.15 Appropriate and timely notifications are made to prisoners in the event of the death or life threatening illness or injury of a family member, with support provided to address their individual needs and continued wellbeing.
- 2.3.16 All prisoner property and money is managed in a lawful, effective and accountable manner that respects prisoners' entitlements.
- 2.4.1 Ethical behaviour, professionalism, accountability and transparency are demonstrated by all staff.
- 2.4.2 Staff model prosocial behaviour by treating all persons with decency, respect and fairness.
- 2.4.3 Staff interactions with prisoners/offenders are appropriate and lawful.
- 2.4.4 Positive work environments are achieved through consultation with relevant stakeholders.
- 2.4.5 Identified functions/activities or practices requiring improvement are addressed by management and staff in a timely and appropriate manner.
- 2.4.6 Staff misconduct is identified and managed promptly ensuring procedural fairness and the appropriate level of confidentiality.

Guiding principles

Outcome 3: Safety and Security

The safety of staff, the community, visitors, prisoners and offenders is maintained, with particular consideration to those most vulnerable.

3.1 safeguarding

3. Safety and Security

- 3.1.1 Correctional practices identify, minimise and manage any risks to staff, the community, visitors, prisoners and offenders.
- 3.1.2 Prisoners/offenders are effectively managed, supervised and suitably placed to maintain the safety of all persons.
- 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).
- 3.1.4 Prisoners/offenders who present an extreme or unacceptable risk to public safety are managed under regimes that reflect the gravity and potential harm to the community. Restrictions are the minimum required to maintain safety, security and good order, alongside their human rights.
- 3.1.5 All appropriate measures are taken to ensure no injuries or unnatural deaths occur to staff, visitors or prisoners/offenders.
- 3.1.6 Risk factors, historical information and cultural considerations are taken into account when assessing and responding to prisoners/offenders at-risk of self-harm or suicide.
- 3.1.7 Prisoners identified as being at-risk of self-harm or suicide are managed in the least restrictive manner based on an objective assessment of their individual risk, needs, health and welfare.
- 3.1.8 Victims are treated with dignity, respect and sensitivity with their needs and safety considered and their rights supported through the provision of key information.

3. Safety and Security

- 3.1.9 Children residing in custody with caregivers are housed in safe and secure accommodation that adequately meets their needs and facilitates access to essential services.
- 3.1.10 Prisoner visits take the safety and best interests of children and other vulnerable persons into account.
- 3.1.11 Persons in custody are transported using fit for purpose vehicles that are safe and meet relevant standards and are subject to regular and routine safety checks.
- 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.
- 3.1.13 Where prisoners who present an extreme risk require movement outside a secure environment, comprehensive risk assessments are conducted and movements are planned to mitigate risks to staff, the community and the prisoner.
- 3.1.14 Prison staff are trained in appropriate methods of restraint and control, based on the principle of de-escalation and using the minimum level of force required to maintain good order, the safety of the public, staff and other prisoners.
- 3.1.15 Use of force and security measures, including instruments of restraint, weapons and chemical agents, are lawful but used as a last resort with the minimum force necessary used to manage the situation.
- 3.1.16 Instruments of restraint are not used on prisoners receiving treatment for significant medical conditions, such as end of life care or pregnancy, unless there is a serious risk to themselves or others, a substantial risk of escape, or they cannot be restrained by any other means.

3. Safety and Security

3.2 safe environments

- 3.2.1 Comprehensive strategies, systems and procedures to detect, deter and prevent incidents that impact on the safety or security of correctional services, staff, the community or prisoners/offenders are developed and implemented.
- 3.2.2 As far as practicable, secure cellular accommodation will minimise the opportunity for self-harm or suicide.
- 3.2.3 Dynamic security practices support and optimise prisoner safety and the good order and management of the prison.
- 3.2.4 Regular testing and maintenance of static security infrastructure ensures the centre and its secure perimeter is uncompromised.
- 3.2.5 The management of offenders in the community is underpinned by evidence based assessments that enhance the safety and security of staff, the community and offenders, while recognising the diverse environments in which their management takes place.
- 3.2.6 Local procedures are appropriate for the operating environment.
- 3.2.7 The security and safety of staff, prisoners, visitors and the community is supported by a variety of strategies and systems to prevent, detect and deter contraband.
- 3.2.8 Correctional services work to prevent radicalisation and violent extremism from being organised or supported by any prisoner/offender managed by corrections.
- 3.2.9 Correctional services provide opportunities for prisoners/offenders who present an extreme or unacceptable risk to disengage from violent extremism and reintegrate into the community.

3. Safety and Security

3.3 classification and placement

- 3.3.1 Prisoner classification and placement is based on an objective assessment of prisoners' security risk, rehabilitation and reintegration needs.
- 3.3.2 Prisoners are assessed and allocated to accommodation compatible with their assessed risks and needs to ensure their safety and security and the good order of the facility.
- 3.3.3 Unsented prisoners/detainees are accommodated in a manner which acknowledges their legal status and where practicable, provides for the separation between sentenced and unsented prisoners.
- 3.3.4 The particular needs of specific prisoner cohorts are reflected in placement decisions.
- 3.3.5 Prisoners who are segregated/separated have daily contact with appropriate staff and their circumstances are reviewed on a regular basis.
- 3.3.6 Signs that a prisoner's physical or mental health has or will be injuriously affected by continued sanctions or segregation/separation are recognised and considered, taking into account the safety of other prisoners and staff and the security and good order of the prison.
- 3.3.7 Prisoners placed in segregation/separation and/or placed in a management or high security unit are managed under the least restrictive conditions consistent with the reason for their separation and to the extent necessary to minimise the associated risk. Prisoners are informed of the reason for their separation in a form and language they understand.
- 3.3.8 Decisions about classification and placement in areas designated for prisoners who present an extreme or unacceptable risk are evidence based and made by a delegated officer, based on clear and transparent criteria and subject to regular review.
- 3.3.9 Where prisoners who present an extreme risk are accommodated in specifically designated areas, they are subject to a transparent and accountable management regime.

- 3.3.10 Community and victim safety is prioritised when considering projects or community work placements that support reintegration into the community.
- 3.4.1 Rules and routines provided to prisoners encourage their responsible behaviour and support the security, good order and management of the prison.
- 3.4.2 Allegations of prisoner misconduct are investigated and managed appropriately, promptly and fairly.
- 3.4.3 Prisoner discipline is lawful, proportionate and timely. Discipline decisions are based on evidence and are made without bias.
- 3.4.4 Prisoners/offenders are aware of the reasons for any imposed sanctions and acknowledge they understand their rights of appeal. Appeals are facilitated by an independent decision-maker in a timely manner.
- 3.4.5 Responses to non-compliance contribute to offender accountability and maintain community safety.



Image credit: Corrective Services NSW

Guiding principles

Outcome 4: Health and Wellbeing

Prisoners and offenders are supported to address their primary health, mental health and social care needs through facilitated access to appropriate services.

4.1 health services

4. Health and Wellbeing

- 4.1.1 Health and wellbeing services are available to prisoners and they are aware of how to access them.
- 4.1.2 Offenders supervised in the community have support to access relevant health and wellbeing services.
- 4.1.3 Stakeholders in the correctional environment cooperate to provide health care services to prisoners.
- 4.1.4 Prisoners are provided a standard of health care equal to services available in the community that meet their individual physical health, mental health and social care needs fostering continuity of care between custody and the community.
- 4.1.5 Prisoners are provided with appropriate health practitioners to deliver the right care at the right time, consistent with equivalent codes of conduct and professional/ethical standards as those applying to public health services in the community.
- 4.1.6 Health services within correctional services provide for trauma informed care practices.
- 4.1.7 Public health is protected through measures that reduce the risk, and impact of illness or pandemic.
- 4.1.8 All prisoners, including remandees, are screened and provided with access to multidisciplinary health care and advice throughout their sentence.
- 4.1.9 Prisoners are provided with respectful and culturally appropriate health care.
- 4.1.10 Holistic health services are provided to Aboriginal and Torres Strait Islander prisoners that encompass mental and physical health; cultural and spiritual health needs;

4. Health and Wellbeing

and recognise how connection to land, ancestry, and family and community affect each individual.

- 4.1.11 Identification and access to treatment, education and interventions help minimise harm arising from alcohol and other drug abuse.
- 4.1.12 Appropriate mental health care is accessible to prisoners with systems in place to refer persons with deteriorating or acute mental illness for specialist mental health treatments.
- 4.1.13 Culturally sensitive health services are available and provided to prevent, manage and treat prisoners experiencing episodes of acute mental illness.
- 4.1.14 Health care provided for women in custody is gender appropriate, emphasising underlying determinants of health unique to women including reproductive and sexual health; and facilitating access to counselling services for victims of violence.
- 4.1.15 Where possible, prisoners/offenders with disabilities are identified upon admission/registration and access to support, health and mental health services is facilitated.
- 4.1.16 Health care provided to LGBTQI persons in custody is appropriate to their individual needs.
- 4.1.17 Appropriate health care is provided to aged, frail and terminally ill prisoners, including access to palliative care services as clinically determined.



Image credit: Corrective Services Tasmania

4. Health and Wellbeing

4.2 healthy living

- 4.2.1 Prisoners have continual access to clean drinking water.
- 4.2.2 Prisoners are provided with well presented, sufficient nutritious food that is adequate for adult good health and wellbeing at regular intervals.
- 4.2.3 Food meets prisoners' cultural, religious and dietary needs, and complies with legislation, security, food handling and storage requirements/standards.
- 4.2.4 Prisoners are provided with clean clothing, bedding and sanitation facilities appropriate to the climate, to support and maintain personal and group health and ensure decent living conditions in prison.
- 4.2.5 Prisoners are provided with health promotion and illness prevention education and services that are based on the best available evidence.
- 4.2.6 Prisoners, staff and visitors have access to smoke free environments.
- 4.2.7 Correctional services develop practices, programs and interventions that support resilience in prisoners/offenders, help them adapt to stresses in a timely and effective manner, and cope with any changes in their circumstances.
- 4.2.8 Prisoners are provided access to approved personal, grocery and activity items which support their individual needs and wellbeing.
- 4.2.9 Prisoners are provided opportunities to safely engage in a range of recreational and sporting activities which promote good health and wellbeing.

Guiding principles

Outcome 5: Rehabilitation and Reintegration

Prisoners and offenders are supported to change their behaviours and attitudes through participation in targeted programs and services which address criminogenic and wellbeing needs and support their transition to a prosocial law abiding lifestyle.

5.1 management and planning

5. Rehabilitation and Reintegration

- 5.1.1 Integrated end-to-end prisoner/offender case management is supported by effective, consistent and system wide frameworks that ensure accurate assessment, planning, intervention and review.
- 5.1.2 Accurate, timely and evidence based risk assessments of all prisoners/offenders are undertaken.
- 5.1.3 Case management of prisoners/offenders is holistic and structured. Case planning considers risks and needs and utilises a multidisciplinary approach that encourages positive behaviour change and promotes accountability.
- 5.1.4 Victim needs are considered to avoid re-victimisation.
- 5.1.5 Prisoner placement promotes individual rehabilitation and supports wellbeing. Where practicable, prisoners are placed in a location proximate to their family and community with particular consideration given to the needs of Aboriginal and Torres Strait Islander prisoners.
- 5.1.6 Interventions for Aboriginal and Torres Strait Islander prisoners/offenders are culturally specific or adapted to cultural needs. They acknowledge the impact of Stolen Generations and emphasise indigenous healing and wellbeing.
- 5.1.7 Structured and evidence based interventions aligned to the risk of reoffending, criminogenic needs and responsivity issues enhance rehabilitation and support community safety.
- 5.1.8 Remand prisoners have access to early interventions such as personal development and life skills programs which focus on building resilience.

5. Rehabilitation and Reintegration

5.2 reintegration planning

- 5.1.9 Programs and services are responsive to the particular needs of vulnerable prisoner/offender cohorts.
 - 5.1.10 Decisions regarding the management of and interventions for prisoners/offenders who present an extreme or unacceptable risk are informed by multiple credible sources and reflect a multidisciplinary approach.
 - 5.1.11 Prisoners have access to nationally recognised education programs. Programs are matched to prisoners' educational level and learning needs, and aligned with vocational training that assists them to gain employment post release.
 - 5.1.12 Prisoner employment increases future employability, supports the achievement of nationally recognised qualifications and complements educational and vocational training opportunities.
 - 5.1.13 Opportunities for employment are provided to all eligible, sentenced, remand and unsentenced prisoners.
 - 5.1.14 Monitoring devices are used to enhance case management, increase prisoner/offender accountability and support community safety.
-
- 5.2.1 All prisoners, including remandees and unsentenced prisoners, are provided access to reintegration programs and services to meet their individual needs both prior to and at the time of release.
 - 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, family and community groups to assist in meeting their reintegration needs.

5. Rehabilitation and Reintegration

5.3 engagement

- 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 programs are available to eligible prisoners, to support reintegration through continued engagement with family and community and access to education, training and employment opportunities.
-
- 5.3.1 Prisoners/offenders are supported and encouraged by staff to address their criminogenic needs through active participation in developing case plans, accessing aligned services and participating in programs specific to their risk of reoffending and individual needs.
 - 5.3.2 Prisoner/offender engagement with meaningful prosocial activities is supported and encouraged throughout their sentence.
 - 5.3.3 Eligible and suitable prisoners/offenders are provided meaningful opportunities to engage in community work and projects that assist in developing or utilising existing skills necessary to gain employment and contribute to the community.
 - 5.3.4 A range of purposeful activities are available to all prisoners that promote and motivate good conduct and order.

5.4 partnerships

- 5.4.1 Public protection and prisoner/offender rehabilitation and reintegration is enhanced through effective partnerships with internal and external stakeholders.
- 5.4.2 Consultation and involvement with the local community promotes public awareness and supports prisoner/offender participation in community work and projects.
- 5.4.3 Appropriate consultation ensures that correctional industries do not unreasonably impact on other Australian businesses and employment.
- 5.4.4 Meaningful community partnerships are developed and maintained with Aboriginal and Torres Strait Islander organisations, Elders, other respected persons and the broader community to support the successful reconnection and reintegration with their community.
- 5.4.5 Effective collaboration, coordination and engagement with relevant partner agencies support improved outcomes for victims of crime.



Image credit: Western Australia Department of Justice Corrective Services

Document history

1978

The first edition of the *Minimum Standard Guidelines for Australian Prisons* ('the Guidelines') published.

1984

The Guidelines are revised by the Australian Institute of Criminology.

1986

Community-based corrections incorporated and *the Guidelines* expanded to the *Minimum Standard Guidelines for Corrections in Australia and New Zealand*.

1992

The revision of *the Guidelines* considers the recommendations of the Royal Commission into Aboriginal Deaths in Custody.

2012

Re-titled to the *Standard Guidelines for Corrections in Australia*. This revision reflected changes arising from: exponential growth in prisoner numbers, the introduction of contracted correctional services, the re-appraisal of evidence based offender behaviour programs; an increased focus on throughcare, the introduction of services for victims, an increased focus on offender reparation and prisoner escorts.

2018

The Guidelines are re-branded to the *Guiding Principles for Corrections in Australia* ('the Principles') to reflect its purpose as a national statement of intent and a foundation for the development of agency specific policies, procedures and standards.

The Guidelines have been reframed as core outcome focused principles, beyond minimum standards, to encourage each agency to strive to achieve best practice that is fit for purpose in each environment.

The correctional environment

The correctional environment is challenging and dynamic, and the prisoner/offender cohort managed by corrections across Australia is complex and diverse. Each prisoner/offender has individual needs that can impact on their rehabilitation and reintegration.

Australian jurisdictions operate under distinct legislation, but share principles that ensure the humane treatment of individuals. Staff and public safety, government priorities, community expectations and victim and offender needs must be balanced when delivering correctional services. To remain relevant, innovative and proactive, correctional approaches and practices need to constantly evolve.

It is important to acknowledge the distinction between the community and custodial corrections environments. However, it is equally important to achieve an end-to-end, seamless and consistent approach to managing the prisoner/offender population.

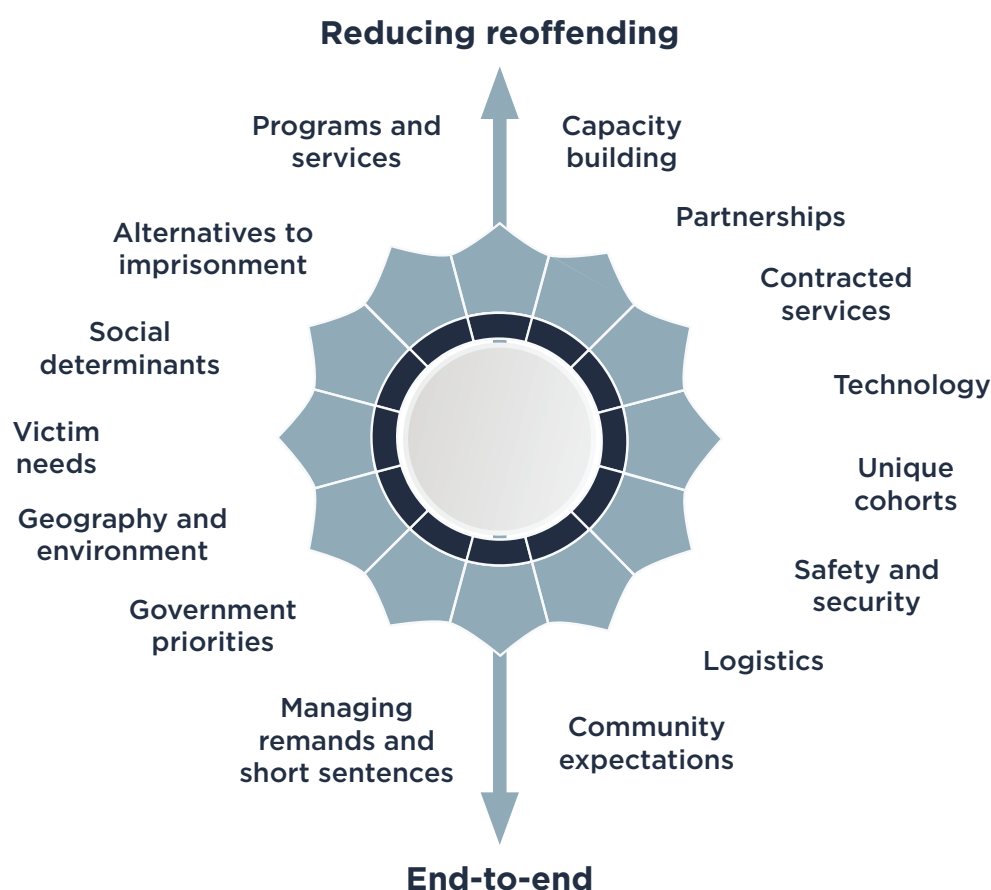


Figure 1: Factors influencing the corrections environment within Australia

In many jurisdictions, outcomes are delivered through a mixed model involving both public and private service providers. The principles applied to privately contracted prisons and privately contracted elements of community operations (such as services and programs) should be consistent with those applied to the relevant state or territory. While there are a vast number of emerging themes, issues and trends influencing contemporary corrections in Australia, this revision of the Principles have particularly considered the following:

- ***An increase in the number of prisoners/offenders managed in both community and custodial settings***

Ongoing growth in the prisoner and offender populations creates pressures and demands in the corrections operating environment. Staff in both custodial and community environments deal with an increasing volume of prisoners/offenders, and strive to address their risks and meet their individual needs. It is essential that agencies plan strategically to reflect a long term view of prisoner/offender populations and to make decisions about infrastructure and resources to support that operating environment.

Australian adult prisoner numbers have increased by 4.3 per cent from 39,568 prisoners at December 2016 to 41,270 at December 2017, with the number of unsentenced prisoners increasing 7 per cent for the same period.

The number of offenders serving community-based corrections orders has also increased from 67,329 in December 2016 to 69,155 in December 2017 reflecting an increase of 2.7 per cent.

It is critical that agencies consider this growth to avoid overcrowding and ensure that prisoners and offenders have access to appropriate facilities and interventions to engage in effective rehabilitation and reintegration.

- ***Continued and increased overrepresentation of Aboriginal and Torres Strait Islander people across the criminal justice system***

Aboriginal and Torres Strait Islander people are dramatically overrepresented in the criminal justice system in each state and territory, making up nearly one-third of the prison population and one-fifth of the community cohort. Correctional practices need to maintain focus on, and continue to address, the systemic issues and disadvantages that Aboriginal and Torres Strait Islanders face as reflected in recommendations of documents including the *Indigenous Strategic Framework*, the *Pathways to Justice Report* and the findings of the Royal Commission into Aboriginal Deaths in Custody.

- ***The management of radicalised and violent extremist prisoners/offenders***

Along with other countries around the world, Australia is facing the challenge of managing radicalised and violent extremist prisoners/offenders, both in custody and in the community. As well as safe and humane containment, rehabilitation and reintegration, correctional jurisdictions now have an important function in preventing further radicalisation, which may lead to violent extremism, and providing opportunities for de-radicalising violent extremists in a manner that is consistent with human rights.

- ***Greater attention on reducing domestic and family violence***

Family, domestic and sexual violence is a major issue occurring across all ages and socio-economic and demographic groups.

It mainly affects women and children, with Indigenous women, young women and pregnant women being particularly at-risk. There is a national government focus to make and sustain a reduction in the levels of violence against women by holding perpetrators to account and ensuring that they receive targeted, evidence based and timely interventions to change their behaviour.

- ***The specific needs of particular prisoner cohorts including young adult offenders, aged and frail, female and LGBTQI offenders, those with disabilities, and remand prisoners***

The Principles consider different implications for specific prisoner/offender cohorts. A mainstreaming approach ensures that broad principles reflect the needs of all prisoners/offenders, but with specific principles also included for particular prisoner/offender cohorts who have unique requirements.

- ***Managing impacts of social determinants***

There is a strong correlation between social disadvantage and crime. Prisoners/offenders often present from disadvantaged backgrounds with significant health needs, low levels of education, housing instability, high levels of unemployment and drug and alcohol abuse. If these issues are successfully addressed or changed, this can reduce the risk of recidivism.

- ***Post sentence supervision and detention orders***

Prisoners who are assessed with an unacceptable risk of reoffending at the end of their sentence present a significant challenge for justice systems across correctional jurisdictions. Post sentence orders have been implemented by a number of jurisdictions as a means of protecting the community where a

prisoner poses an unacceptable risk of harm to the community post sentence. In supervising post sentence orders, correctional agencies need to have regard for the protection of the community, the rights and needs of victims and the rehabilitation and treatment of the offender. In managing post sentence detention orders, correctional agencies need to focus on providing offenders with suitable opportunities for rehabilitation and risk reduction, working towards transition back to the community and adopting an offence free lifestyle.

- ***Bail reviews and legislative reforms***

Legislation reviews and reforms pertaining to bail have been conducted or are underway across a number of jurisdictions. The nature and extent of reviews or reforms differ, but both intend to address the behaviour of accused persons who continue to reoffend while on bail.

Reviews and reforms have been driven by a number of high-profile incidents, the emerging issue of violent extremism and government responses to domestic and family violence, youth justice and gang-related crime.

A nationwide tightening of laws has implications for corrections, including an increase in the number of prisoners on remand.

- ***Ratification of the Optional Protocol to the Convention Against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (OPCAT)***

On 21 December 2017, Australia ratified OPCAT with a declaration to delay full implementation of its obligations for three years.

OPCAT will require Australia to create a national body/bodies for independent inspections for all places of detention, known as the National Preventive Mechanism (NPM), to enable periodic monitoring, as well as facilitate periodic monitoring by the United Nations Subcommittee on Prevention of Torture (SPT).

- ***Technological changes and innovation***

The continued and rapid evolution of technology has profoundly changed the ways in which correctional services operate. Continued innovation in technology not only assists in maintaining safety and security but also impacts on work practices and efficiencies; improves staff education and training; and ultimately achieves better outcomes for prisoners/offenders through digital communication and learning. While the Principles do not outline specific technologies that have been developed they do allow the integrations of a new innovation by individual jurisdictions.

- ***Contracted services***

Correctional services are facing a period of major growth and change in which the corrections environment is examining its use of private operators and service providers. It is important that private and public operators are subject to the same standards and requirements to ensure transparency, accountability, performance, cost effectiveness and efficacy of our correctional services is maintained.



Image credit: Queensland Corrective Services

Key terms

Term

Definition

Aboriginal person

A person who is a descendant of an Indigenous inhabitant of Australia, who identifies as an Aboriginal person and is recognised as Aboriginal by members of the community in which he or she lives or has lived.

At-risk prisoner

Prisoners/offenders at-risk of suicide and self-harm.

Best practice

A procedure that has been shown by research and experience to produce optimal results and that is established or proposed as a standard suitable for widespread adaption.

Case management

Collaborative process of assessment, planning, facilitation and advocacy to meet prisoners/offenders criminogenic and wellbeing needs.

Children residing in custody

Children approved by the state/territory to reside (full or part time) with a prisoner identified as their primary caregiver, in a custodial environment.

Community Corrections

The management and supervision of offenders in the community. These offenders are serving court imposed orders either as an alternative to imprisonment or as a condition of their release from prison.

Community partnerships

Relationships between community groups, charitable, non-profit educational institutions, and state, federal and local government agencies.

Curfew

An official order to restrict the movement of prisoners/offenders in periods where they are subject to temporary release, serving a custodial sentence or extended supervision order, in the community and/or if there is a high risk of reoffending.

Death in custody

The death of a person wherever occurring in prison custody, police custody or detention as a juvenile.

Disability	Any kind of impairment from birth or acquired including cognitive impairment as well as physical, sensory and psychosocial disability.
Disengagement	When a person stops using violence but maintains a non-violent radical ideology.
Dynamic security	Regular and consistent interaction between prisoners/offenders and staff and timely analysis of information and sharing through observations and communication (e.g. rapport building, training, networking, intelligence gathering and strategic analysis).
Elder	A highly respected person in the Aboriginal and Torres Strait Islander community.
End-to-end	End-to-end is the coordinated and integrated approach to the management of people who are the responsibility of correctional services from their first point of contact with the Agency to the completion of their legal order, including their reintegration into the community.
Extreme/unacceptable risk prisoner/offender	A prisoner/offender posing a risk of engaging in, or inciting other persons to engage in, activities that constitute a serious threat to the peace, order or good government of the State or any other place.
Health services	Services that provide health and mental health care to prisoners.
Home detention	Any order allowing suitable offenders to serve a custodial sentence in the community by way of restricting their movements within the precincts of a specified residence during specified hours; and permitting absences from those precincts only during specified/nominated periods for specified/approved purposes.
Human rights	The Universal Declaration was adopted by the General Assembly of the United Nations on 10 December 1948. Motivated by the experiences of the preceding world wars, the Universal Declaration was the first time that countries agreed on a comprehensive statement of inalienable human rights.

Intersex	Persons born with physical sex characteristics that do not fit medical and social norms for female or male bodies.
Intervention	Any activity an offender is undertaking to address their criminogenic needs.
Methods of restraint	Approved methods and techniques of physical intervention used to bring a person under control.
Monitoring device	Any active or passive electronic system using a device, fitted to the person, for signalling the compliance and/or movements of the prisoner/offender.
Offender	A person on whom the court or releasing authority has imposed a community-based order.
Official Visitor	Person appointed by a relevant authority who is independent to correctional services that can assist facilitate issues related to prisoners and the effective management of a prison.
Prison	Any building, enclosure or place legally declared to be a correctional centre for the lawful custody of persons committed by lawful authority.
Prisoner	A person sentenced by the court to a term of imprisonment; or ordered by the court to be detained in a correctional centre/prison. This includes a person placed in the custody of the Administering Department in accordance with a lawful order for the purpose of undertaking specific programs while under restrictive custody.
Privately contracted services	Independent person, organisation or business that provides correctional services under the terms specified in a contract or agreement (such as not-for-profit, external service providers, 'in house' contestants or other service providers).
Radicalisation	The process by which an individual's beliefs move from the relatively mainstream to calling for a drastic change in society. It does not necessarily mean a willingness to use violence to realise those beliefs, noting that some individuals come to believe that violence is justified to achieve ideological, political or social change.

Remandee	A person who is alleged to have committed an offence who is held in custody by a court who has not applied for bail; has been refused bail; cannot meet bail or provide a surety or is unwilling to meet the conditions set out by the court.
Resilience	An individual's ability to successfully adapt to life tasks in the face of social disadvantage or other highly adverse conditions.
Sanction	Penalty for disobeying a law or rule.
Segregation/Separation	Separate confinement of a prisoner deemed necessary following evidence based assessments for the protection and safety of others where there is no other reasonable way to manage the risk/s to safety, security, or good order and discipline of the correctional centre.
Social care needs	Those needs directly related to the wellbeing of prisoners/offenders.
Staff/Work force	Any person(s), other than a prisoner/offender, who regularly performs any work, activity or function either paid or unpaid on behalf of the Agency or its contracted service provider.
Substantive equality	Recognises that policies and practices put in place to suit the majority of persons may appear to be non-discriminatory but may not address the specific needs of certain groups of people. In effect they may be indirectly discriminatory, creating systemic discrimination.
Temporary leave	Lawful escorted temporary absence, unescorted temporary absence or absence subject to a work release authority from a correctional centre.
Torres Strait Islander person	A person of Melanesian origin with their own distinct identity, history and cultural traditions, whose descendants traditionally lived in the Torres Strait, a series of small islands that separate northern Australia from New Guinea.
Transgender	A person whose gender identity differs from the sex the person had or was identified as having at birth.

Unsentenced	A person who has been convicted with a sentence yet to be imposed by a court/authority.
Use of force	A physical risk management approach in relation to the control of the prisoner.
Victim	A person who has suffered physical or emotional harm, property damage, or economic loss as a result of a crime.
Violent extremism	A person's support for, and act of, violence to achieve ideological, religious or political goals. This includes terrorism, other forms of politically motivated violence and some forms of communal violence.