

Queensland Corrective Services

Tobacco and Smoke Free Corrective Services Facilities Policy

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Commissioner's Foreword

Queensland Corrective Services (QCS) is committed to providing a workplace for correctional staff that promotes the health and well being of employees. QCS also has a responsibility to ensure the health and well being of prisoners and visitors to corrective services facilities.

In August 2009, the implementation by QCS of the *Custodial Anti-Smoking Policy and Implementation Plan 2009-2011* and Anti-Smoking procedure acknowledged this commitment and responsibility. The purpose of the procedure was to ...*reduce the exposure of staff, offenders and children who reside in corrective services facilities, and visitors to environmental tobacco smoke.*

The *Health of Australian Prisons Report 2010* identifies smoking as a major source of illness and death in Australia, contributing to more deaths and drug-related hospitalisations than alcohol and illicit drug use combined. It is a major risk factor for coronary disease, stroke, cancer and a variety of other diseases and conditions. Passive smoking (that is, exposure to second-hand smoke) is a public health issue, as it can cause coronary heart disease and lung cancer in non-smoking persons, and induces and exacerbates mild to severe respiratory effects.

Given the adverse effects of smoking on smokers and non-smokers, and QCS' ongoing responsibilities to correctional staff, prisoners and visitors, QCS will be transitioning to tobacco and smoke free corrective services facilities.

The QCS *Tobacco and Smoke Free Corrective Services Facilities Policy* builds on the work achieved to date by the QCS anti-smoking policy and procedure to reduce the harmful effects of smoking and provide an environment free of the harmful effects of tobacco smoke.

For further information on the harmful effects of smoking, facts and figures on smoking related health complaints and smoking cessation programs available, refer to the QCS Tobacco and Smoke Free Corrective Services Facilities portal located on the QCS intranet and internet sites.

Mark Rallings
Acting Commissioner

Policy

Purpose

Queensland Corrective Services intends to ban smoking in corrective services facilities from 5 May 2014. The Tobacco and Smoke Free Corrective Services Facilities Policy outlines:

- The reasons and benefits of banning smoking in corrective services facilities;
- The measures that will be used to achieve the policy; and
- How the new policy will be implemented to ensure an effective outcome.

Policy statement

Queensland Corrective Services is committed to maintaining the safety and good order of corrective services facilities during the transition to smoke free facilities and promoting the health and wellbeing of staff, prisoners and visitors by providing an environment free of tobacco smoke.

Policy aims

The policy aims to:

- ensure a smooth transition to smoke free corrective services facilities while focusing on maintaining safety and security within the facilities;
- improve health outcomes for prisoners and staff;
- reduce the harm associated with tobacco use and eliminate the risks associated with exposure to second-hand smoke for non-smoking staff, prisoners and visitors; and
- address legislative obligations to provide a healthy work environment.

Harmful effects of smoking

Although smoking rates have generally declined during recent decades, tobacco use remains the leading cause of preventable death and illness in Australia. More than 3,400 Queenslanders die each year from smoking related illnesses and over 35,000 hospitalisations each year are smoking related.

For Aboriginal and Torres Strait Islander people, the smoking related death rate and hospitalisation rate are considerably higher than the Queensland average.

Smoking harms nearly every organ in your body. It worsens your health in general and long-term smokers are at a higher risk of developing a range of potentially deadly conditions including cancer, lung disease, heart disease and poor blood circulation. Up to 50 per cent of lifetime smokers will die from smoking related diseases. Stopping smoking has major and immediate benefits to your health and the health of those around you.

The smoke produced by burning tobacco products or exhaled by a smoker is known as second-hand tobacco smoke or environmental tobacco smoke (ETS).

Second-hand smoke is known to be harmful and hazardous to the health of the general public and particularly dangerous for children. Of the more than 4,000 chemicals present in tobacco smoke, more than 60 have been identified as cancer causing chemicals, 11 of which are known to cause cancer in humans and 8 that probably cause cancer in humans.

Studies suggest that even brief exposure to second-hand smoke can be harmful and that regular exposure increases the risk of respiratory problems, heart disease, heart attacks, and cancer.

Smoking in corrective services facilities

Smoking within Queensland corrective services facilities is significantly more prevalent than among the general public. It is estimated that about 87 per cent of prisoners within Queensland corrective services facilities smoke, compared to about 14.8 per cent of the general adult population. The current smoking rate for Queensland correctional officers is estimated to be 20 per cent.

Queensland's move towards smoke free corrective services facilities is in line with other correctional jurisdictions. On 1 July 2011, New Zealand prisons became smoke free and positive outcomes have included an improvement in prison air quality, improved respiratory health among prisoners, significant reductions in fire-related incidents, and an increase in positive engagement between prisoners and staff. Recently, on 1 July 2013, the Northern Territory became the first Australian jurisdiction to ban smoking and tobacco related products in all of its correctional centres.

There is no safe level of smoking. Only 100% smoke-free environments can provide effective protection.

Benefits of smoke free corrective services facilities

Health related

Smoking is the leading cause of preventable illness and death in Australia and stopping smoking has major and immediate benefits for a person's health. Prisoners and staff who quit smoking will reduce their risk of major diseases such as cancer and heart disease and improve their respiratory health and lung function.

Staff and prisoners trying to quit smoking

The move to smoke free corrective services facilities will enhance the smoking cessation programs being undertaken by correctional staff and prisoners.

Correctional staff and prisoners quitting smoking will not be subjected to:

- observing other people smoking;

- breathing second-hand smoke; and
- smelling smoking residue on other people's clothing.

Safety and security

Removing the supply of tobacco and other smoking related products will also have safety and security benefits. Correctional officers have reported that some prisoners tamper with electrical items in their cells to provide a “spark” to light smoking related products. There have also been incidents of prisoners bringing cigarette lighters into accommodation units to enable them to smoke in non-designated smoking areas. As well as breaching the rules of the facility, these actions pose a potentially serious fire risk within a corrective services facility. Prohibiting tobacco and other smoking products from corrective services facilities can significantly reduce this risk.

Correctional officers have also reported that due to the high price of tobacco items currently available to prisoners, tobacco is used as a tradeable commodity which can lead to bullying and stand over tactics among prisoners. Such behaviours may be reduced with the removal of tobacco products from corrective services facilities.

Prisoner expenditure

The high cost of tobacco often results in it being a major source of expenditure for prisoners. Removing this expense will give prisoners the opportunity to focus their limited funds on something more beneficial to their health and well being, such as healthy food alternatives or saving money, in their prisoner trust account, to assist with reintegration planning.

World Health Organisation Framework Convention on Tobacco Control

The World Health Organisation (WHO) Framework Convention on Tobacco Control (WHO FCTC) identifies that tobacco use continues to be the leading global cause of preventable death, killing nearly 6 million people and causing billions of dollars of economic damage. Urgent action is required to reduce the harmful effects of smoking.

The WHO FCTC is a legally binding global treaty that places an obligation on signatories to develop and implement policies for preventing and reducing tobacco consumption, nicotine addiction and exposure to tobacco smoke; in particular:

- measures to protect employees from exposure to tobacco smoke in the workplace; and
- effective programmes aimed at promoting the cessation of tobacco use in the workplace.

Australia ratified the WHO FCTC on 27 October 2004.

Work Health and Safety Act 2011

The *Work Health and Safety Act 2011* (WHS Act) states it is an employer's responsibility to find out about hazards in the workplace and assess their potential to cause harm. Then, if necessary, an employer must take steps to control the risk, either by eliminating it or reducing it to an acceptable level.

Implementation of the *Custodial Anti-Smoking Policy and Implementation Plan 2009-2011* and Anti-Smoking procedure were the first stages of controlling the risk posed by environmental tobacco smoke (ETS) by reducing it to an acceptable level.

However, recent studies have identified that the harmful effects of ETS may only effectively be addressed by eliminating smoking. To ensure QCS fully meets its obligations under the WHS Act, providing for the health and well being of employees, prisoners and visitors to a corrective services facility, it is considered that a tobacco and smoke free policy is the only effective means to ensure ETS is eliminated from the workplace.

Policy Instruments and Measures

The Tobacco and Smoke Free Corrective Services Facilities Policy will be achieved through:

- education and communication;
- smoking cessation support programs; and
- removing tobacco and smoking related products from corrective services facilities.

Education and communication

Education and communication are key components in the transition to tobacco and smoke free corrective services facilities. Communication about the policy is essential to ensure that it is effectively implemented and to maintain the safety and security of correctional facilities. Education about the hazards of smoking and the benefits of quitting is also a necessary and effective tool to encourage individuals to quit.

Focusing on staff and incorporating them into the education program is also vital to effect broad attitudinal change throughout corrective services facilities.

The transition to smoke free facilities will occur over an extended period and involve progressively reducing designated smoking areas in corrective services facilities and the availability and range of tobacco products available to prisoners.

The experiences of other correctional jurisdictions that have gone tobacco free demonstrate that providing plenty of notice to prisoners and staff is important to manage the change safely and effectively and allow people to access support services to assist them to quit smoking. The policy will be implemented in a staged process, meaning communication and education will occur not only at the start of the policy but continuously throughout the period of policy implementation and beyond.

Education about the harms of smoking, smoking cessation support programs and communication about the policy will include:

- posters and information notices;
- information resource portals on the QCS intranet and internet;
- information in the *Prisoner Information Booklet* and induction packages;
- information on smoking cessation support programs available for correctional staff and prisoners; and
- consultation and engagement with Regional Health and Hospital Boards.

Key outcomes

- Staff and prisoners will be provided with clear information about the Policy and Implementation Plan.
- Staff and prisoners will be provided with clear, consistent and ongoing information about the hazards of smoking, the benefits of quitting and options to access smoking cessation support.

Smoking cessation support programs

Smoking is a complex behaviour that can be difficult to stop. Nicotine is an addictive substance in tobacco and there are a number of side-effects associated with smoking cessation which have significant implications for prisoner management. Some of the symptoms of nicotine withdrawal include depressed mood, difficulty sleeping, anxiety, irritability, frustration, anger and restlessness.

It is paramount that safety and good order is maintained during the transition to tobacco and smoke free corrective services facilities. Identifying and assessing smoking cessation needs, and linking prisoners and staff with smoking cessation support programs, will assist in reducing the potential negative impacts of this change.

Initiatives will include:

- identification of a prisoner's smoking status on reception and assessment of smoking cessation needs;
- assessment of smoking cessation needs for prisoners currently in a corrective services facility, upon self referral by the prisoner; and
- smoking cessation support programs for prisoners and correctional staff.

Queensland Health provides a smoking cessation support program for prisoners and a Quit Smoking for Life program (through Quitline) for correctional staff (including private service providers).

Both programs are provided free of charge to participants and involve:

- identification and assessment of smoking cessation needs;
- provision of free nicotine replacement therapy (NRT); and
- counselling / motivational sessions.

Research shows that people who use NRT to quit smoking are twice as likely to succeed as people who try to quit 'cold turkey'. People using NRT and receiving support from a trained quit smoking counsellor are even more likely to succeed.

To assist Queensland Corrective Services in creating a supportive quit smoking environment, and increase the likelihood of staff successfully quitting, partners, spouses and immediate family members of participating workers are also offered free access to the QCS Quit Smoking for Life program.

Refer to **Appendix 1 – Smoking Cessation Support Programs** for further information on the programs available to assist in quitting smoking.

Key outcomes

- Staff and prisoners will be able to access comprehensive support packages to help them quit smoking.
- The health and well being of correctional staff and prisoners will be promoted.
- The cost to the community associated with smoking-related illnesses will be reduced.

Removing tobacco and smoking related products from correctional facilities

The harmful effects of smoking and the goal of promoting a healthy work environment are the main drivers for removing the supply of tobacco and other smoking related products from corrective services facilities.

Initiatives will include:

- removal of tobacco and other smoking related products available for purchase by prisoners; and
- smoking products and smokeless tobacco products (refer **Appendix 2 Definitions**) will become prohibited things under section 20 of the Corrective Services Regulation 2006.

The prohibitions on tobacco and other smoking products being taken into a corrective services facility and smoking within a corrective services facility will apply to correctional staff, prisoners and visitors.

Key outcomes

- Correctional staff, prisoners and visitors to a corrective services facility will be in an environment free of the harmful effects of tobacco smoke.

Policy implementation

The transition to tobacco and smoke free corrective services facilities will involve four phases of implementation during 2013-14. This will ensure that changes are effectively managed and reduce the risk of negative impacts on the security and good order of corrective services facilities.

The implementation plan provides a guide to effectively manage the introduction of policy components and outlines which areas in the Agency are responsible for different tasks.

The implementation plan also details broad performance measures to direct and monitor the policy implementation.

The four phases of implementation are:

Phase	Focus	Dates
One	<ul style="list-style-type: none"> Communicate policy to stakeholders Educate and communicate about the harmful effects of smoking to correctional staff and prisoners Promote smoking cessation programs available to correctional staff and prisoners 	November 2013 – December 2013
Two	<ul style="list-style-type: none"> Commence activities / tasks directly related to policy implementation Continue education and communication about the harmful effects of smoking Continue promotion of available smoking cessation programs 	November 2013 – February 2014
Three	<ul style="list-style-type: none"> Finalise activities / tasks for the go live date for tobacco and smoke free corrective services facilities Plan for the go live date for tobacco and smoke free corrective services facilities Implement tobacco and smoke free corrective services facilities on 5 May 2014 	March 2014 – May 2014
Four	Post evaluation assessment of policy	May 2014 – July 2014

Policy compliance

All Queensland Corrective Services staff are responsible for their own compliance, and for informing prisoners and visitors of the tobacco and smoking restrictions. Once tobacco and smoking related products are prohibited, the following will apply:

Breaches of the policy

Prisoners – breaches of the policy by prisoners should be managed in accordance with the procedure Breaches of Discipline. A prisoner who makes, possesses, conceals or knowingly consumes tobacco (including smokeless tobacco products) or other smoking related products in a corrective services facility will commit an offence under section 123 of the *Corrective Services Act 2006*.

Visitors – adherence to the policy is a condition of entry to a correctional facility. Failure to comply, either with the policy or upon the direction of staff, may result in the removal of the visitor from the facility, or in the case of repeat or continued breaches, suspension of access approval.

Staff – staff found to be smoking within correctional facilities, may be in breach of the Code of Conduct, specifically sections relating to standards of conduct including behaviour and workplace health and safety. If a member of staff wilfully fails to comply with the standards outlined in the Code of Conduct, they may be subject to disciplinary action under section 187 of the *Public Service Act 2008*.

A person taking tobacco (including smokeless tobacco products) or other smoking related products into a corrective services facility or giving these items to a prisoner will commit an offence under section 128 of the *Corrective Services Act 2006*.