



Prisoner Behaviour Management

Safer Engagement Strategies

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Custodial Operations Practice Directive

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Scope

1. Human Rights
2. Limitation of Human Rights
3. Purpose of Safer Engagement Strategies
4. Assessment of Suitability for a Safer Engagement Strategies Plan
5. Development of a Safer Engagement Strategies Plan
6. Implementation of a Safer Engagement Strategies Plan
7. Review of Safer Engagement Strategies Plan

PUBLIC VERSION



Official/Public

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Custodial Operations Practice Directive

1. Human Rights

It is unlawful for corrective services officers to act or make decisions in a way that is not compatible with human rights, or in making a decision, fail to give proper consideration to a human right relevant to the decision.

Giving proper consideration to human rights entails identifying human rights which may be relevant to a decision and considering whether the decision would be compatible with human rights.

A decision will be compatible with human rights when it does not limit a human right, or only limits a right to the extent that is reasonable and demonstrably justifiable.

Human rights which may be relevant include:

- a) cultural rights – generally and for Aboriginal peoples and Torres Strait Islander peoples;
- b) the right to humane treatment when deprived of liberty;
- c) the right to privacy and reputation; and
- d) protection of families and children.

2. Limitation of Human Rights

In determining whether a limitation may be reasonable and demonstrably justified, the following factors are relevant to consider:

- a) The nature of the human right – this involves looking at the purpose and underlying value of the human right. For example, the right to privacy and reputation provides that a person has the right not to have their privacy, family or correspondence unlawfully or arbitrarily interfered with;
- b) The nature and purpose of the limitation – this involves considering the actual purpose or legitimate aim/reason for limiting the human right. For example, the right to protection of families and children may be limited by restrictions placed on a prisoner for the safety and security of the prisoner themselves, and others;
- c) The relationship between the limitation and its purpose – this involves considering the connection between the limitation of the right and whether this will assist with achieving the purpose or legitimate aim. For example, does a restriction that limits a prisoner's contact with their family achieve improved security of person for the prisoner and /or others?;
- d) Whether there are less restrictive and reasonable ways to achieve the purpose – this involves a 'necessity analysis' where it is necessary to consider the purpose of the limitation and whether it can be achieved in any other way. For example, the development of a Safer Engagement Strategies plan provides for the least restrictive way of managing a high-risk prisoner whilst ensuring the safety of the officers involved; and
- e) The importance between the purpose of the limitation and preserving the human right – this involves balancing the benefits obtained by the limitation with the harm caused to the human right. For example, does the additional safety provided to the prisoner and/or officer by limiting their access to their family where this is implemented, outweigh the limitation to the protection of families and children?

3. Purpose of Safer Engagement Strategies

The purpose of the Safer Engagement Strategies plan (SES) is to provide officers with strategies to assist them in safe and productive interactions with prisoners who pose an acute risk to officer safety and/or the good order of the centre.





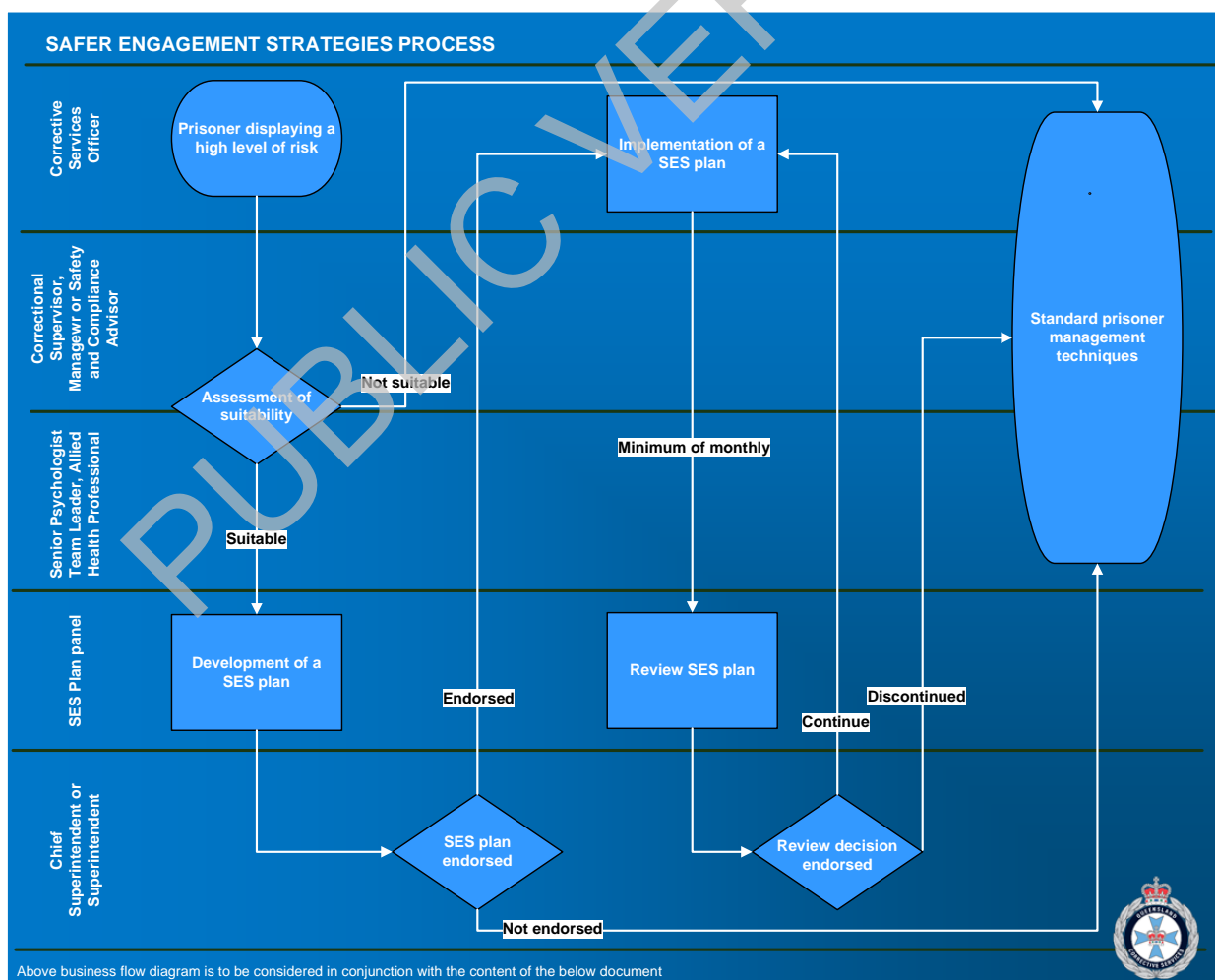
Custodial Operations Practice Directive

SES strategies are specific to the individual prisoner and should promote positive prisoner behaviour, enhance officer safety and protect prisoners' human rights.

SES plans are not an instrument for prisoner progression/regression. They do not provide authorisation for restricting a prisoner's out of cell time, interactions with others or other privileges such as phone calls or visits.

SES plans will provide officers with:

- current and contextual information relating to the management of prisoners who pose an elevated risk to officer safety and/or the good order of the centre;
- identification of individual periods of risk, triggers and warning signs for potential behavioural escalation;
- proactive strategies for engaging safely with prisoners who have known behavioural problems;
- support to make safe decisions through the provision of a range of options relevant to the prisoner's presentation and behaviour; and
- strategies to encourage and reinforce positive prisoner behaviour.





Custodial Operations Practice Directive

4. Assessment of Suitability for a Safer Engagement Strategies Plan

SES plans are implemented for prisoners who are assessed as posing an acute risk to officer safety and/or the good order of the centre.

Indicators for placement on an SES plan may include the following:

- a) history of abusive and/or violent behaviour towards staff;
- b) propensity to extreme behavioural reactions towards self or others;
- c) current non-compliant, violent, or otherwise challenging behaviour; and/or
- d) prisoners displaying a level of risk which requires careful and/or strategic planning from officers during day-to-day interactions.

Prisoners may be identified as suitable for placement on an SES plan at any time throughout the custodial period. Corrective services officers should refer prisoners who may be suitable for a plan to their centre's relevant correctional supervisor.

Referrals will be assessed by a staff member/position nominated by the Chief Superintendent, such as Correctional Manager, Correctional Supervisor or Safety and Compliance Advisor. Wherever practicable, assessment should occur in consultation with a Senior Psychologist/Team leader, Allied Health Services, or a relevant member of the Offender Development team.

5. Development of a Safer Engagement Strategies Plan

5.1 Safer Engagement Strategies panel

The SES panel is responsible for developing the SES plan. The SES panel should be representative of staff relevant to the supervision, intervention, and case management of the prisoner. The Chief Superintendent of the corrective services facility or nominee will determine the representatives for inclusion on the panel.

At a minimum, the SES panel must include:

- Correctional Manager, Supervisor and/or Safety and Compliance Advisor;
- Senior Psychologist/Team Leader, Allied Health Services or relevant member of the Offender Development Team; and
- Cultural Liaison Officer (where relevant).

The SES Plan panel may also include:

- Nurse Unit Manager;
- Case Managers;
- Occupational Health Advisor; and/or
- Other invited members when deemed appropriate (e.g. representative from Prison Mental Health Services).

Where practicable, a prisoner should be informed that they will be managed under an SES plan. If a prisoner is willing to engage with staff regarding their placement on an SES plan, they should be provided with the opportunity to contribute to the subject matter (for example, behavioural triggers).

5.2 Safer Engagement Strategies plan

The SES plan must be written in a manner which is simple and easy to read. For example, clear descriptions of observable behaviours are preferable to the use of complex terminology or jargon.





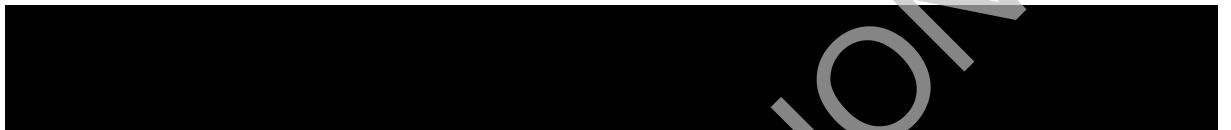
Custodial Operations Practice Directive

Staff members interacting with prisoners should be informed of any SES plan by the relevant Correctional Manager, Correctional Supervisor or unit officer. The up-to-date SES plan should be made easily accessible to staff who are involved in the prisoner's supervision.

The SES plan will include:

a) Current and contextual information

Current information includes information related to the prisoner's current or ongoing behaviour. Contextual information includes additional information that may influence how the prisoner interacts with others, for example relevant warning flags, or a history of certain behaviours towards staff.



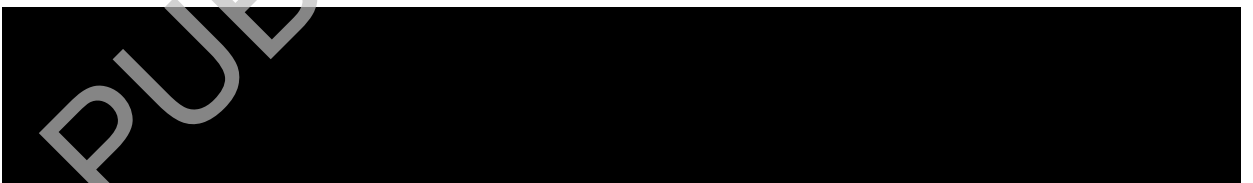
b) Identified periods of risk (triggers)

Identified periods of risk include a prisoner's known triggers for behavioural escalation (examples of behavioural escalation include violence towards self or others, non-compliance with directions, or inappropriate/unusual interactions with others). Periods of risk can be identified through a prisoner's incident history in IOMS and/or through consultation with Offender Development.



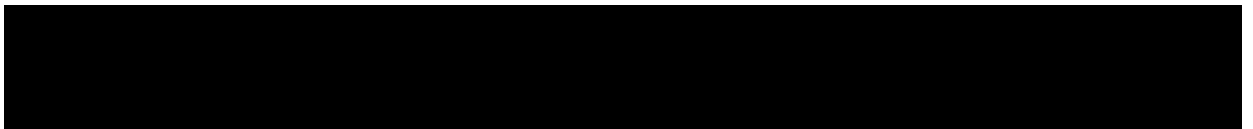
c) Indicators of deterioration in mood if applicable (warning signs)

Deterioration in mood may be a sign of deterioration in mental health and/or an increase in behavioural challenges. Identifying a deterioration in mood may help address the prisoner's needs before any behavioural escalation or adverse events occur.



d) Communication and behavioural strategies

Communication and behavioural strategies include ways to engage with a prisoner which promote positive interactions and help to deescalate any challenging behaviour.



e) 'What if' strategies

'What if' strategies include ways to communicate and engage with a prisoner which will help deescalate and promote compliance during specific scenarios that are a common reoccurrence for the prisoner.



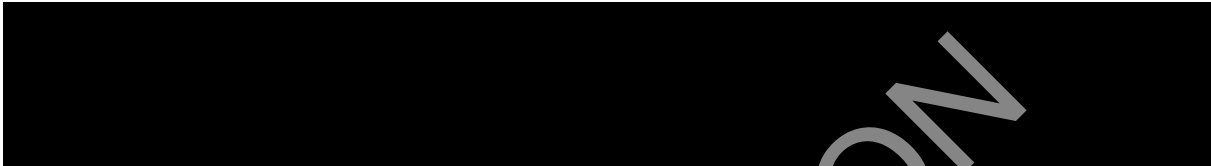


Custodial Operations Practice Directive



f) Safety strategies

Safety strategies outline the preferred responses to specific scenarios related to health and medical, risk of suicide or self-harm, behaviour, and cell access.



An SES plan should also detail how the individual prisoner's human rights have been considered when developing the plan. For example, a prisoner's right to protection of families and children may be considered through the implementation of safety strategies which facilitate safe access to pens and paper for letter writing.

A prisoner's right to privacy and reputation must be respected when considering relevant details for inclusion in the plan.

5.3 Endorsement

Prior to implementation of an SES Plan, the completed Administrative Form 71 Safer Engagement Strategies Plan must be endorsed by each panel member and by the Chief Superintendent or Superintendent of the corrective services facility.

Placement on an SES plan should be recorded in a case note.

5.4 Upload to IOMS

The completed Administrative Form 71 Safe Engagement Strategies Plan must be attached to the IOMS profile of the identified prisoner under File Contents > Offender Details > Attachments.

6. Implementation of a Safer Engagement Strategies Plan

Corrective services officers should consider the strategies outlined in a prisoner's SES plan prior to any interaction or in response to an event, to ensure challenging behaviour is managed with consistency. It is the responsibility of all officers involved in managing the prisoner to read the plan and engage with the prisoner in accordance with the strategies outlined in the plan.

Corrective services officers must ensure their response to challenging or non-compliant behaviours is undertaken in a safe, humane and lawful manner with consideration given to the prisoner's human rights.

6.1 Safety Orders and Intensive Management Plans

The SES plan provides strategies for officers to safely interact with high-risk prisoners. As such, the SES plan may be used in conjunction other relevant plans and orders for the prisoner, for example Safety Orders, Separate Confinement Orders and Intensive Management Plans.





Custodial Operations Practice Directive

The SES plan should be consistent with the requirements of any procedures or other orders prescribed in a COPD. If an inconsistency between plans is identified, the Safety Order, Separate Confinement Order or Intensive Management Plan must be followed. For example, if the SES plan is not consistent with the prisoner's Safety Order, the Safety Order must be followed.

The least intrusive prisoner management options will be used in the SES plan to achieve the required result. Safer Engagement Strategies do not provide authorisation for restricting a prisoner's out of cell time, interactions with others or other privileges such as phone calls or visits.

A prisoner must not be placed on separate confinement, unless the prisoner is the subject of a MSO, Safety Order or a separate confinement order for a Breach of Discipline.

6.2 Prisoners with at-risk presentation

The SES plan provides strategies for officers to safely interact with high-risk prisoners. As such, the SES plan may be used in conjunction with the at-risk process, including any At-Risk Management Plan (ARMP), Initial Response Plan (IRP) and/or Safety Order. Refer to COPD At Risk Management: At Risk, COPD Prisoner Behaviour Management: Safety Orders and COPD Prisoner Behaviour Management: Intensive Management Plans.

The SES plan should be consistent with the requirements of any ARMP, IRP and/or Safety Order. If an inconsistency between plans is identified, the ARMP, IRP and/or Safety Order must be followed. For example, if the SES plan is not consistent with the prisoner's ARMP, the ARMP must be enforced.

If a prisoner is managed under the Elevated Baseline Risk or the Prisoner of Concern process, consultation should occur with the Senior Psychologist/Team Leader, Allied Health Services to ensure the compatibility of these plans are considered.

If any staff member becomes aware that the prisoner may be at-risk of suicide or self-harm or has concern for a prisoner's safety and welfare, refer to COPD At Risk Management: At Risk.

7. Review of Safer Engagement Strategies Plan

The SES plan is to be reviewed at a minimum frequency of monthly by the SES panel. Additionally, reviews should occur after a significant change to the prisoner's situation (e.g. involvement in an incident which is outside of the prisoner's baseline presentation, change in accommodation or new placement on an order/management plan).

The panel should amend or remove the SES plan when required, based on the prisoner's current behavioural presentation, risks and needs. Incidents and case notes may be reviewed to assess the suitability of the plan.

The reviewed plan, or the removal from a plan, must be approved by the Chief Superintendent or Superintendent of the corrective services facility.

The outcome of the review must be documented in a case note. Where practicable, the prisoner should be informed of the outcome of the review.

