

Trevor Dillon

From: RALLINGS, Mark
Sent: Friday, 20 February 2015 5:41 PM
To: ZHOUAND, Samay
Subject: S73 RTI [REDACTED] Wolston

Thanks Samay

I'm discussing the program with Kerrith and Tamara next week.

This will be useful.

Cheers

Mark

From: ZHOUAND, Samay
Sent: Friday, 20 February 2015 5:39 PM
To: Mark Rallings (Mark.Rallings@dcsc.qld.gov.au)
Subject: [REDACTED] Wolston

Hi Mark,

[REDACTED]

Kind regards

Samay

LOCAL INSTRUCTION – Incentives and Enhancements Program^{S73}

Wolston Corrective Services

Version: 03 Implementation date: January 2015 Availability: In-Confidence

Reason for Local Instruction	To provide a safe and secure environment, ensuring staff safety whilst simultaneously maintaining a reduction in violence rates, assault rates, and institutional reoffending. The model of incentives and earnable privileges encourages appropriate behaviour by prisoners that is conducive to: a) positive outcomes for their individual intervention planning; b) active engagement in work and meaningful activity; as well as c) compliance to Wolston Correctional Centre rules, regulations and regimes. The placement of all Basic level privileges in a specific accommodation unit, enables a regime that holds prisoners accountable, protects vulnerable prisoners, and maximises a regime where staff safety is paramount.
Practice Directive	Risk Management Accommodation and Case Management
Task	Intensive Management Plans Incentives and Enhancements Program
Practice Directive Accountability	<p>The General Manager/Deputy General Manager is accountable for:</p> <ul style="list-style-type: none"> Developing relevant processes to manage identified risks and overseeing the application of risk mitigation tools. Ensuring informed decisions are made regarding the allocation of cell accommodation for each prisoner. Ensuring necessary processes are in place for the day to day management of prisoners that provides a structure in which prisoners can be positively engaged in their imprisonment; and encouraged to take responsibility for their behaviour through pro-social modelling assisted by the IEP and active case management
Local Definitions	Nil
Local Process	<p>Process Prisoners are encouraged to comply with the expectations of the operations of Wolston Correctional Centre, and the opportunities afforded to seek appropriate intervention. To achieve this, a program of incentives and earnable enhancements will be implemented, where all prisoners have the opportunity to progress. They will be reviewed at the point of reception, and then at regular intervals for progression, and in instances of events based reviews where regression is being considered. Where presenting risk is such, special profile units will be used to more appropriately accommodate the presenting risk.</p> <p>Responsibility It is the responsibility of the Wolston Correctional Centre Induction Program to induct prisoners into the IEP regime of the centre, and the nature of the special profile units.</p> <p>It is the responsibility of each prisoner to comply with the operations of Wolston Correctional Centre, and seek progression through the IEP privilege levels.</p>

It is the responsibility of staff to case note and record accurate and timely behavioural information regarding prisoners. This is to enable an assessment of their suitability for progress through IEP privilege levels, or regression – and referral for placement into a Special Profile Unit – where necessary. It is the responsibility of the Correctional Managers, Secure and Residential accommodation, to determine a prisoners IEP privilege level, or placement into a Special Profile Unit.

IEP Privilege Levels

As per the Incentives and Enhancements Program section of the COPD – Accommodation and Case Management, privilege levels are defined under the following three (3) levels:

- 1) Enhanced
- 2) Standard
- 3) Basic

Unless exceptional circumstances prevail, prisoners will be inducted into Wolston Correctional Centre on a Standard privilege level (Appendix A). (Exceptional circumstances may include examples such as those prisoners who are transferring to Wolston Correctional Centre for the purpose of pre-approved placement on a Basic regime, or who are reintegrating from an MSU).

Decisions in regard to a prisoners initial privilege level, and then future reviews for progression / regression, will be made by the IEP committee. The IEP committee will comprise (subject to the accommodation of the prisoner):

- Correctional Manager, Secure Accommodation
- Correctional Supervisor, Secure Accommodation
- Correctional Manager, Residential Accommodation
- Correctional Supervisor, Residential Accommodation
- Administrative support.

All aspects of IEP review, regression and appeals will occur in accordance with the COPD Accommodation and Case Management. The IEP committee will use the accommodation / placement case note title available in IOMS to record the privilege level of each prisoner. This allows ready reference for all staff and a consistent practice, and the IEP Privileges Agreement (Appendix B) will be attached to IOMS.

Progression to the enhanced level is by an annual review at the point in which an officer writes the prisoner's annual behavioural case report – summary. The report should include:

- Have had no written warnings or proven breach of discipline within the last 6 months;
- Have committed fully to the behaviour/performance expected at a standard level, exceeding the standard level expected;
- Suitable for a job requiring a high level of trust and responsibility;
- Engaging fully with the requirements of individual schedule; and
- Using time in custody as usefully and constructively as possible and engaging fully with your ORP.

This information will be collated at the time of a scheduled Offender Rehabilitation Plan review. Should the above criteria be met then the relevant information will be forwarded to the IWP committee who will then utilise the Assessment for Progression to Receive Enhanced Privileges form (Appendix C) to determine suitability. A case note will be added to IOMS to outline the reasons

why a prisoner has not been referred for consideration, as well as the outcomes upon consideration.

S73

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Appendices:
 A - IEP Privilege level table
 B - IEP Privileges Agreement

Timeframes

N/A

Responsible Officer

Correctional Manager, Secure Accommodation
 Correctional Manager, Residential Accommodation
 Correctional Manager, Offender Development

Additional Considerations

Nil

Approved by:

Tamara Bambrick

General Manager

Signature

Date approved:

08-01-15

This instruction shall remain in effect until rescinded or updated by the General Manager, Wolston Correctional Centre



Incentives and Enhancements Program and			S73	Appendix A
Wolston Correctional Centre				
Version: 02	Implement date: 02/09/14	Availability: In-Confidence		

Appendix A IEP Privilege Level Table

ELEMENT / PRIVILEGE	BASIC	STANDARD			ENHANCED
Accommodation	Unit S7 – on regime	Secure and residential			Residential only (unless exceptional circumstance)
Sentence Plan	On target	Progressing and on target			Actively progressing and on target
Programs	As per regime - in unit only	As per plan			As per plan
Education	As per regime - in unit only	As per plan			As per plan
Employment	As per regime - in unit only	Domestic, industries and other positions – after enhanced prisoners employed			Priority given for Domestic, industries and trusted positions
Out of cell hours	8 hours maximum	Full structured day			Full structured day
Television	No	Yes			Yes
Visits	1 hour non-contact	2 hours contact			3 – 4 hours contact (as available in visits)
Family days	No	Yes			Yes
Trust accounts – limit of spending	Cannot access funds in addition to below	Without exceptional circumstances, cannot access funds in addition to below			Can access funds in addition to below
PTS	6 min calls – 7 per week	8 min calls – 21 per week			12 min calls – 28 per week
Buy-up	\$9.55 – Hygiene allowance only	Unemployed & Unwilling to work \$9.55 Hygiene allowance only	Unemployed & Willing to work \$30.00 max	Employed \$50.00 max	What you choose to spend (with upper limit of \$70.00)
STP	No access	Yes			Yes – addition of items that require manager approval
Personal property	Agency minimum requirements only	Yes			Yes
Recreation	In unit only	As per Activities timetable – oval and gym access			As per Activities timetable – oval and gym access, in addition to residential compound tennis courts and exercise equipment
In-cell activities	No	Limited			Yes
Menu	Choice 1 menu only	Menu choice			Menu choice
Ration Choice	No access	USER selection (res only)			USER selection (res only)



Incentives and Enhancements Program and ^{s73}			Appendix B
Wolston Correctional Centre			
Version: 02	Implement date: 02/09/14	Availability: In-Confidence	

Appendix B Incentives and Earned Privileges (IEP) Agreement

Prisoner Name: _____ **ID:** _____

Prisoner Signature: _____

Queensland Corrective Services' (QCS) purpose is community safety and crime prevention through the humane containment, supervision and rehabilitation of prisoners. QCS has a duty to contain prisoners with decency and humanity and provide for a model of behaviour that assists prisoners to serve their sentence in custody and upon release in a pro social and law abiding manner.

An Incentives and Enhancement Program (IEP) has been implemented to provide a fair, consistent and structured process to reward individual prisoners who commit to the opportunities provided for them and display appropriate standards of behaviour.

The following are designated as key earnable privileges:

ELEMENT / PRIVILEGE	BASIC	STANDARD			ENHANCED
Accommodation	Unit S7 – on regime	Secure and residential			Residential only (unless exceptional circumstance)
Sentence Plan	On target	Progressing and on target			Actively progressing and on target
Programs	As per regime IMP - in unit only	As per plan			As per plan
Education	As per regime IMP - in unit only	As per plan			As per plan
Employment	As per regime IMP - in unit only	Domestic, industries and other positions – after enhanced prisoners employed			Priority given for Domestic, industries and trusted positions
Out of cell hours	8 hours maximum	Full structured day			Full structured day
Television	No	Yes			Yes
Visits	1 hour non-contact	2 hours contact			3 – 4 hours contact (as available in visits)
Family days	No	Yes			Yes
Trust accounts – limit of spending	Cannot access funds in addition to below	Without exceptional circumstances, cannot access funds in addition to below			Can access funds in addition to below
PTS	6 min calls – 7 per week	8 min calls – 21 per week			12 min calls – 28 per week
Buy-up	\$9.00 – regime buy up list only	Unemployed & Unwilling to work \$9.55 Hygiene allowance only	Unemployed & Willing to work \$30.00 max	Employed \$50.00 max	What you choose to spend (with upper limit of \$70.00)
STP	No access	Category 1 (with upper limit of \$80.00)			Categories 1 and 2
Personal property	Agency minimum requirements only	Yes			Yes
Recreation	In unit only	As per Activities timetable – oval and gym access			As per Activities timetable – oval and gym access, in addition to residential compound tennis courts and exercise equipment
In-cell activities	No	Limited			Yes
Menu	Choice 1 menu only	Menu choice			Menu choice
Ration Choice	No access	USER selection (res only)			USER selection (res only)



All prisoners commence on the standard level of the IEP.

The General Manager of the corrective services facility commits to providing the following:

Basic Level of Privileges:

- Clean, safe and hygienic accommodation in a healthy and well maintained prison
- Publication of and access to all rules and regulations applying to you
- Services including healthcare, catering, chaplaincy etc, as advertised
- Allocation of an accommodation officer
- Access to intervention programs to address your offending behaviour
- Access to specified periods of work, education, programs, oval and other activities
- Association with other prisoners in accordance with your individual schedule
- Visits from your legal adviser as required
- Personal property as per procedure
- One personal non-contact visit per week
- Canteen and other purchases - limited to spending only weekly earnings and amenities funds. Other limited funds may be placed into telephone accounts to maintain family contact
- Use of the prisoner telephone system (PTS) via a pin code.

All prisoners will enter the correctional centre at the standard level and the corrective services facility expects a prisoner to commit to the following:

- To treat staff, prisoners and all other people with respect whatever their race, religious beliefs, sexual orientation or social circumstances
- Not to bully, threaten or intimidate other prisoners
- Not to display material that is offensive (partly dressed male or female pictures exposing genitalia)
- To refrain from manufacturing or imbibing alcohol ("brews") or any involvement with illicit drugs and to cooperate with substance testing programs when instructed
- To participate fully in the structured day program and attend all activities allocated in your individual schedule
- To treat all prison property with care, including the keeping of a clean and tidy cell (no graffiti)
- To maintain acceptable personal hygiene
- To comply at all times with corrective services facility rules and procedures and with lawful instructions given by corrective services officers
- To keep noise to acceptable levels at all times
- To participate in Sentence Management Services reviews and keep to Offender Rehabilitation Plan (ORP) goals
- To express your views, requests and complaints in a reasonable and constructive way
- Not to steal or interfere with others' property
- Not to tamper with any prison property, power supply or cover light fittings, observation window or cell window.



Progression to the enhanced level is by an annual review at the point in which an officer writes the prisoners annual behavioural case report – summary.

They should demonstrate the following:

- Have had no written warnings or proven breach of discipline within the last 6 months
- Have committed fully to the behaviour/performance expected at standard level, exceeding the standard level expected
- Suitable for a job requiring a high level of trust and responsibility
- Engaging fully with the requirements of individual schedule
- Using time in custody as usefully and constructively as possible and engaging fully with your ORP.

If a prisoner fails to comply with an IEP, the prisoner may:

- Be issued with a written warning notice informing that behaviour is below that expected. Three warning notices within a 12 week period may result in a special review of a prisoner's privilege level
- Be demoted to a Standard or Basic level or forfeit certain elements of their privilege level
- Have breach of discipline proceedings commenced or be referred to the Queensland Police Commissioner for a criminal offence.

A prisoner may make representations to the review panel (in person/in writing/with assistance of an accommodation officer) and will be given the reasons for any decision that may adversely affect the prisoner under the IEP. If a prisoner is demoted a level in the IEP they will be informed of what must be achieved to earn back the level and may appeal against any such adverse decision.

If a prisoner believes that the corrective services facility has failed to comply with the IEP the prisoner may first attempt to resolve the issue with their accommodation officer. The corrective services facility will try to put right any failures on its part or provide an explanation of the reasons why it cannot. A prisoner may:

- Make a verbal or written complaint to the Correctional Manager (Accommodation) or Correctional Supervisor (Accommodation)
- Make a complaint in writing to the General Manager or Deputy General Manager of the corrective services facility
- Follow the formal complaints management process.

You have been allocated to		level of privileges under the program.
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Comments:



ASSESSMENT FOR PROGRESSION TO RECEIVE ENHANCED PRIVILEGES

Appendix

Wolston Correctional Centre

C

Version: 02

Implement date: 02/09/14

Availability:

Surname	Given Name/s		
ID No:	DOB	/ /	Accomm.

A	Conduct: Demonstrates positive behaviour, complies with rules and routines, interacts well with other prisoners and is always courteous to staff as evidenced by case notes.	/6
B	Employment: Is employed or a full-time student, with a sound attendance record and excellent performance reports by the relevant work supervisor or education staff.	/6
C	Employment responsibility: Has a job requiring a high level of integrity and responsibility.	/4
D	Offender Rehabilitation Plan (ORP): Demonstrated commitment toward achieving positive outcomes and sentence planning objectives as per his Offender Rehabilitation Plan.	/6
E	Education: Engaged in recommended education and/or vocational programs, with excellent performance assessment from education staff.	/4
F	Rehabilitative programs: Engaged in therapeutic intervention and/or rehabilitation programs, with excellent performance assessment by program delivery staff.	/6
G	Hygiene: Maintains a high standard of personal hygiene and cell presentation.	/3
H	Discipline: No adverse incidents, breaches, behavioural IMPs or documented warnings.	/4
I	Intelligence: No adverse intelligence issues or current concerns.	/4
J	Illicit substances: No evidence of drug use or association with illicit drugs, alcoholic substances or non-prescribed medications.	/4
K	Low Classification: Has a low security classification.	/3
TOTAL SCORE		/50

Approved for progression to
receive Enhanced Privileges

YES

☐

or

NO

☐

/ /

Panel Member	Signature	Panel Member	Signature



ENHANCED PRIVILEGES – COUNTING RULES

A 6	Conduct ** ** MANDATORY DISQUALIFICATION IF THERE IS A PATTERN OF NEGATIVE CASE NOTES IN THE PAST 3 MONTHS. 6 points for exemplary; 4 points for above average; 2 points for acceptable; 0 points for poor or if case notes don't cover at least the past six months of continuous custody.
B 6	Employment ** ** MANDATORY DISQUALIFICATION IF THE PRISONER IS UNDER 65 YEARS OLD & MEDICALLY FIT BUT REFUSES TO WORK. * * IF PRISONER IS MEDICALLY UNFIT OR 65 YEARS OLD, DO NOT SCORE AT ALL & SUBTRACT 6 POINTS FROM TOTAL TARGET. 6 points for high achievement; 4 points for above average performance; 2 points for satisfactory performance; 0 points for unsatisfactory performance or if not completing any courses.
C 4	Employment Responsibility 4 points if employed in a Level 5 position; 3 points if employed in a Level 4 position; 2 points if employed in a Level 3 position; 1 point if employed in a Level 2 position; 0 points if not employed.
D 6	O.R.P ** ** MANDATORY DISQUALIFICATION IF THE PRISONER SHOWS NO COMMITMENT AT ALL TO HIS ORP. 6 points for demonstrating outstanding commitment; 4 points for demonstrating above average commitment; 2 points for demonstrating satisfactory commitment; 0 points if not committed at all.
E 4	Education * * IF PRISONER IS NOT REQUIRED TO DO EDUCATION, DON'T SCORE AT ALL & SUBTRACT 4 POINTS FROM TOTAL TARGET. 4 points for high achievement; 2 points for satisfactory performance; 0 points for unsatisfactory performance or if not completing any recommended and approved courses.
F 6	Rehabilitative Programs * * IF NOT REQUIRED TO DO PROGRAMS, DO NOT SCORE AT ALL & SUBTRACT 4 POINTS FROM TOTAL TARGET. 6 points for high achievement; 4 points for above average performance; 2 points for satisfactory performance; 0 points for unsatisfactory performance or if not attending/completed any rehabilitation programs.
G 3	Hygiene 3 points for immaculate presentation; 2 points for high standard of presentation; 1 point for satisfactory presentation; 0 points for unsatisfactory presentation.
H 4	Discipline ** ** MANDATORY DISQUALIFICATION IF GUILTY OF A SERIOUS MAJOR BREACH IN THE PAST 4 MONTHS. 4 points for none within the past 3 years (only scores 4 if he has served at least 3 years of continuous custody); 3 points for none within the past 2 years (only scores 3 if he has served at least 2 years of continuous custody); 2 points for none within the past year (only scores 2 if he has served at least 12 months of continuous custody); 1 point for none within the past 8 months of custody (only scores 1 if he has served at least 8 months in custody); 0 points for any within the past 4 months of custody.
I 4	Intelligence 4 points for no concerns in past 2 years (only scores 4 if he has served at least 2 years of continuous custody); 2 points for no concerns in past 12 months (only scores 2 if served more than 1 year of continuous custody); 0 points if there are any adverse intelligence issues or current concerns in the past 12 months.
J 4	Illicit Substances ** ** MANDATORY DISQUALIFICATION IF POSITIVE RESULT, FAIL OR REFUSE TO SUPPLY IN THE PAST 4 MONTHS. 4 points if he has neither supplied a positive sample nor refused/failed in the past 2 years of custody; 2 points if he has neither supplied a positive sample nor refused/ failed to supply in the past year of custody; 0 points he has supplied a positive sample or refused/failed to supply in the past 4 months of custody.
K 3	Low Classification 3 points if the prisoner has achieved a low security classification; 0 points if not.

Current IEP

BASIC
Agency minimum requirements

- No attendance at special events/ activities
- No in cell television
- Weekly earnings and amenities only
- 1 hour oval access only
- Not considered for residential
- Buy up limited to weekly allowance only
- No STP purchase
- Minimum property issue
- Non contact visits only
- Minimum phone calls (not defined, assumes legal only)

Brisbane Women's

- No in cell television
- 7x 6 min calls per week
- \$50 buy up
- No STP purchases (limit to bra only)
- No oval access

Wolston

- 2 hours out of cell
- Nil to a restricted association
- 1 hour non contact
- 7x 6 min calls per week
- \$9.90 buy up
- No STP purchases
- No gym or oval access
- No programs or education (limited to what went wrong)

SEGREGATION & SEPARATE CONFINEMENT

Safety Order, Maximum Security Order and Breach of Discipline Only

Privileges and Entitlements determined by the requirement of the order as per Legislative Requirement.

STANDARD

Agency minimum requirements

- Attendance at special events/ activities
- In cell television
- Buy up limited to \$80
- Oval and Gymnasium access
- Considered for residential
- Allowed STP purchase
- Minimum property issue
- Allowed contact visits only
- Minimum phone calls (not defined, assumes legal only)

ENHANCED

Agency minimum requirements

- Attendance at special events/ activities
- In cell television
- Buy up limited to \$120
- Oval and Gymnasium access
- Considered for residential priority
- Allowed STP purchase
- Property issue (does not define what is the further privledge)
- Allowed contact visits only
- Phone calls (not defined what additional)

Arbitrary sanction and punishment used to regress.
No meaningful incentive on offer to encourage progression.

Proposed IEP

ENTRY

Prisoners enter on this level and provides the base level of entitlements

- 10 hrs out-of-cell time
- In-cell television
- Allowed contact visits
- Buy up limited to weekly earnings and amenities
- Allowed limited STP purchase (limited to basic living and in cell activity items)
- Minimum property issue
- Minimum phone calls
- Oval and Gymnasium access
- Attendance at special events/ activities (discretionary to GM)

NB: Caution not to restrict entitlements so that a prisoner needs to be placed in debt to access items of a basic living standard.

STANDARD

- 10 hrs out-of-cell time
- In-cell television
- Allowed contact visits
- Buy up limited to \$80
- Allowed STP purchase (set item limit, incentive)
- Increased property issue (set item limit, incentive)
- Increased phone call allowance (set item limit, incentive)
- Additional Oval and Gymnasium access (set item limit, incentive)
- Attendance at special events/ activities

ENHANCED

- 10 hrs out-of-cell time
- In-cell television
- Allowed contact visits
- Buy up limited to \$120
- Allowed STP purchase (set item limit, incentive)
- Increased property issue (set item limit, incentive)
- Increased phone call allowance (set item limit, incentive)
- Additional Oval and Gymnasium access (set item limit, incentive)
- Attendance at special events/ activities

BoD – Separate confinement used as discipline mechanism. Separate confinement and Safety Order privileges set between both minimum standards IEP suspended

BoD – Separate confinement used as discipline mechanism. Separate confinement and Safety Order privileges set between both minimum standards IEP suspended

SEGREGATION & SEPARATE CONFINEMENT

Safety Order, Maximum Security Order and Breach of Discipline Only

Privileges and Entitlements determined by the requirement of the order as per legislative requirement

File Note

From:

David Bales
Inspector, Office of the Chief Inspector

Subject:

Wolston CC IEP local instruction

Current Review

- Reason/purpose for the IEP instruction needs to be clearly defined – the ‘Reason for Local Instruction’ section identifies that it is for “*staff safety*” and “*reduction of violence*” and also “*placing all basic prisoners in specific accommodation*” – these are really outcomes. The real purpose of the IEP is better defined by the last dot point of the ‘Practice Directive Accountability’ section that states “*provides a structure in which prisoners can be positively engaged in their imprisonment; and encouraged to take responsibility for their behaviour*” – a focus on this as the purpose of the IEP would resolve some of the confusion inherent in this document.
- The idea of the IEP incorporating the rehabilitative process commences from the Reason section (“*individual intervention planning*”) and this may be counter-productive to what is intended to be achieved by an IEP which should have a focus on the behaviour of a prisoner. This is evidenced by the ‘IEP Privilege Levels’ section identifying that decisions in relation to initial privilege levels and future reviews for progression and regression are made by an IEP committee that comprises no psych services intervention staff. Additionally, progression to an enhanced level is by way only of an annual review that is scheduled to coincide with an ORP review with a prisoner having to comply “*fully*” with ORP requirements – this provides that a significant percentage of prisoners who will not have an ORP (serving less than 12 months in custody) are prevented from achieving an enhanced level.
- The ‘Local Process’ section that states “*Where presenting risk is such, special profile units will be used to more appropriately accommodate the presenting risk*” which appears incongruent with the ‘Special Profile Units’ section – the “*presenting risk*” has already been identified with mandated outcomes in the ‘Special Profile Units’ section?
- The ‘Special Profile Units’ section also evidences a move away from the standard IEP process and introduces psych service staff into the IEP committee for S7 unit prisoners. There is some confusion about who actually approves entry to S7 with the IEP instruction stating Correctional Managers Secure and Residential “*will determine a prisoner’s suitability for placement in this unit*” and “*shall make decisions based upon a prisoner’s placement*”. However, entry and exit from the S7 unit requires a referral to an IEP committee that must comprise either the General Manager or Deputy General Manager. Appendix G – Basic Regime Notification to Prisoner only provides a signature template for the General Manager. Need to clearly define who is actually making the decision to place a prisoner on the basic S7 regime.
- The S8 unit under the ‘Special Profile Units’ section is concerning as “*prisoners can be moved into and out of this unit at the discretion of secure placement needs*”. Given the significant restrictions on out of cell time for prisoners in Group 1 and Group 2 there should be a more accountable process – this may in fact be picked up through the safety order and consecutive safety order process though with OV’s in particular involved in the CSO reviews.
- Appendix C – Assessment For Progression to Receive Enhanced Privileges is concerning. A total of 50 points may be achieved through this assessment from categories listed from A to K – higher the points score the goal. The item B counting rules state “*If prisoner is medically unfit fit or 65 years old, do not score at all & subtract 6 points from total target*” – should this actually be the other way around

otherwise prisoners in these categories may find it impossible to progress to enhanced? Item D outlines a score for commitment to a prisoner ORP that is impossible for a prisoner that not meet the ORP eligibility requirements.

- Appendix G provides no review process for a prisoner placed on the basic level.

Previous Chief Inspector Review

- PAC meetings and prisoners in general raised a level of concern with the IEP instruction, in particular it was considered the limits placed on buy-ups were overly restrictive in comparison with approved QCS purchasing limitations. It was also considered that prisoners who were willing to work and placed on a wait-list should not be punished as a result of increased prisoner numbers reducing the proportionate number of available employment positions.
- In particular, identified concerning aspects of IEP instruction were:
 - COPD Prisoner Entitlements states that a prisoner may purchase canteen items to a limit of \$120 per week. The IEP instruction places a limit of \$70 for prisoners on the enhanced level, \$50 for standard (employed), \$30 for standard (unemployed but willing to work) and hygiene allowance only for standard (unwilling to work) and basic. **Remains unaddressed**
 - Inspectors were advised only 26 prisoners were on the enhanced level that presented as disproportionate to the high number of residential prisoners that were actively engaged in employment and recommended programs and demonstrating acceptable behaviour. **This may have changed**
 - IEP instruction states *"All aspects of IEP review, regression and appeals will occur in accordance with QCS COPD Accommodation and Case Management"*. The Incentives and Enhancements Program section of this COPD provides a process for a prisoner to appeal and receive a notification of an IEP decision. However, Appendix G of the IEP instruction (that provides notification to a prisoner of placement on the basic level) states *"The decision to accommodate you on the Basic regime is not reviewable"*. **Remains unaddressed**
 - No allowance for elderly, infirm or medically unfit to work prisoners – where a prisoner that meets such a criteria is perceived to be penalised there may be sufficient grounds for a discrimination complaint. **Remains unaddressed**
 - Reduced buy-up for the standard - unemployed but willing to work category may be difficult to sustain when the prison is unable to meet the prisoner employment demand with the significant increase in prisoner numbers. **Remains unaddressed**
 - Standard restrictions on out of cell access time in the IEP instruction for the S8 Personal Protection Regime Group 1 and Group 2 prisoners may be overly oppressive when considering a number of these prisoners are in shared accommodation in secure unit cells designed and purpose built for one adult prisoner. **Remains unaddressed**
 - Standard restrictions for the lock down of S7 Restricted Amenities Unit prisoners may be overly oppressive when considering the secure unit cells are not designed and purpose built for the lock down of prisoners for long durations, unlike detention unit or maximum security unit cells. **The S7 unit has now been renamed the Safety and Security Regime with some progression in the 3 stages. Previously all three stages were restricted to a maximum out of cell access of 2 hours and no prisoner association. Now this only applies to Stage 1 with Stage 2 having a maximum out of cell time of 4 hours and a minimum of 1 prisoner association (maybe multiple) and Stage 3 commencing day integration/association within a general secure unit.**
 - Government policy is that maximum security orders and placement in a maximum security unit is reserved for prisoners that present the highest risk - the conditions of the IEP basic regime are to some extent more oppressive than placement in a

maximum security unit. This may be counter-productive to the most effective management of protection prisoners that exhibit behaviour management problems. **This has been addressed to some extent as per above**

- The level of concern communicated by staff and prisoners in relation to the IEP instruction, in particular the restrictive lock down practices for S7 and S8, indicate it would be reasonable for QCS to review and determine if the practices of the IEP instruction are fair and reasonable. **This still remains relevant as observation of the infrastructure and interaction with staff and prisoners in S7 and S8 is necessary to fully comprehend the issues raised in relation to the operational practices of the IEP instruction**

Overall Finding

- There is an inherent difficulty in trying to merge two or three concepts into the one procedure, noting the IEP instruction incorporates the concepts of incentive and enhancements with behaviour management/restrictive management regimes and intervention planning.
- Intervention planning already is effectively provided for in QCS COPD's with SMS review and incentives of low custody (although not applicable to a large number of Wolston CC sex offenders) and parole in place.
- Behaviour management should not be the focus of an IEP – where targeted restrictive management practices are required to modify a prisoner's behaviour it may be more effective to suspend the prisoner from the general IEP process and transfer over to a separate instruction that specifies management practices based on the specific safety and security requirements of the presenting risk.
- The COPD IEP clearly set out the principles of an IEP and the Wolston CC Basic Regime clearly does not fall within these principles – it would be more accurately described as a disincentive program
- Conditions and privileges afforded to prisoners are matters of particular interest to stakeholders such as the Queensland Ombudsman, in particular where local prison rules may be considered overly restrictive or inconsistent with approved policy or procedure. For this reason the DJAG Office of General Counsel should be requested to review the IEP instruction and consider if the practices are fair, reasonable and non-discriminatory.