



Prisons Procedure 301

External Activities

Approved by the Deputy Commissioner Operational Support

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1. Purpose

- 1.1. The assessment of a prisoner's inclusion in external activities provides for rehabilitation, reintegration, recreation and reparation. This reflects modern correctional practices and standards while meeting the objectives of absence permit legislation and providing adequate protection for both the community, and staff managing the prisoner. This Prison Procedure provides a consistent assessment process regarding prisoner participation and activity approval.

2. Scope

- 2.1. This Prisons Procedure and appendices applies to all public and private prisons.

3. Introduction

- 3.1. Prisoners are permitted to be absent from prison for the purpose of participating in activity programs in accordance with s 83(1)(a) of the [Prisons Act 1981](#), this document, [Policy Directive 9 – Permits for Absence](#) and Prisons Procedure 302 – Work camps.

4. Definitions and acronyms

- 4.1. The following definitions apply for the purposes of these Procedures:

absence permit	The document authorising a prisoner to be absent from a prison. A prisoner with a valid absence permit is deemed to be in lawful custody while absent from the prison.
ACACO	Assistant Commissioner Adult Custodial Operations.
activity coordinator	The person approved by the Superintendent during the prisoners' application process to coordinate the activities of prisoners during unsupervised external activities, such as a workplace manager or short course facilitator.
Authorised Assistant Superintendent	The Assistant Superintendent/Assistant Director/Manager Assessment Centre of the prison whose responsibilities include prisoner management and/or assessments. The Authorised Assistant Superintendent is authorised by the Designated Superintendent to undertake the responsibilities in line with these Procedures.
community work project	A project undertaken at an approved external activity location which is aimed at rehabilitating prisoners, and is of benefit to the community.
CSinet	The Department of Corrective Services' intranet.
Designated Superintendent	The Superintendent as defined in s 36 of the Prisons Act 1981 and includes any reference to the position responsible for the management of a private prison under Part IIIA of the Prisons Act 1981 .

external activity	For the purposes of these Procedures, an external activity is an activity permitted by s 83(1)(a) and 95 of the Prisons Act 1981 which is undertaken externally to the secure perimeter (if present), or any activity undertaken on the prison property if no secure perimeter or on a work camp, not risk assessed and further considered an internal activity (see also 'internal activity').
external activity location	The location at which an external activity, including community work projects, permitted by s 83(1)(a) and 95 of the Prisons Act 1981 , is undertaken externally to the secure perimeter (if present) or off gazetted prison property (if no secure perimeter) and not risk assessed and further considered an internal activity (see also 'internal activity').
Individual Management Plan (IMP)	The approved plan developed in consultation with treatment, education and assessment staff and the prisoner. The IMP spans the prisoner's sentence through to release. It identifies prisoner needs and contains recommendations for prison placements, security classification and interventions that will assist the prisoner to live a pro-social life on release to the community.
internal activity	For the purposes of these Procedures, an internal activity is an activity undertaken internally to the secure perimeter (if present) or an activity undertaken externally to the secure perimeter which has been authorised as exempt from these Procedures in accordance with Section 5.2.4.
Management and Placement Checklist (MAP)	The checklist completed to determine the initial security rating and placement for a prisoner.
Notes	The area within the Total Offender Management Solution (TOMS) database where information relating to a prisoner's Individual Management Plan (or other behaviour/situation that may affect the prisoner's IMP), may be recorded by the Case Officer or other staff member. 'Notes' inform interested parties as to the prisoner's current situation.
PEP	Prisoner Employment Program.
prison officer	A person engaged to be a prison officer under s 13 of the Prisons Act 1981 , or a person deemed as a prison officer in accordance with s 3 of the Prisons Act 1981 , listed on Adult Custodial Rule 12 – Designation of Officers as Prison Officers and appropriately trained for escorting duties.
superintendent	The Designated Superintendent or Officer in Charge (OIC) of a public prison, the Director or Officer in Charge of a private prison.
supervised (or supervised activity)	For the purposes of these Procedures, the term 'supervised activity' shall indicate the physical presence of a prison officer for the duration of the activity. See also 'unsupervised activity' and 'Supervising Officer'.

Supervising Officer	A prison officer, contract worker as defined in the Court Security and Custodial Services Act 1999 or any other person who the chief executive officer thinks fit to be appointed to supervise the prisoner's participation in the external activity (r 54I, Prisons Regulations 1982).
Total Offender Management Solution (TOMS)	An electronic database used by the Department of Corrective Services to record and manage comprehensive information relating to prisoners in custody.
unsupervised (or unsupervised activity)	According to the Prisons Regulations 1982 , 'supervision' does not require the physical presence of a person during an activity. For the purposes of these Procedures, the term 'unsupervised' shall indicate that a prison officer is not in the physical presence of a prisoner(s) for the duration of the activity but attends to the activity location sporadically to monitor progress and ensure prisoners are accounted for. See also 'supervised activity' and 'Supervising Officer'.
work camp	A facility outside a prison, as established under s 23 of the Prisons Act 1981 , and organisationally attached to a home prison.

5. Policy

5.1. General

- 5.1.1. Each prison and work camp shall have a schedule of planned and approved activities developed in consultation with the relevant areas of the Department of Corrective Services and other agencies to facilitate s 95 of the Prisons Act 1981.
- 5.1.2. All prisoners who are placed at work camps shall be assessed for work camp placement and approved in line with Prisons Procedure 302 – Work camps.
- 5.1.3. Prisoners placed at work camps may not participate in supervised or unsupervised external activities unless first assessed and approved to participate in such activities in line with these Procedures and Prisons Procedure 302 – Work camps.

5.2. External activities

- 5.2.1. The Assistant Commissioner Adult Custodial Operations (ACACO) shall be the approver for external activities in accordance with the [Prisons Act 1981](#) and these Procedures.
- 5.2.2. Such activities include:
 - Education and employment activities which are not included in Policy Directive 68 – Prisoner Employment Program (ie one-off absences, short education and vocational courses of less than 4 weeks duration and career and employment expos)
 - Community work (such as maintenance, clean-ups, building restorations, project work)
 - Charitable or voluntary work
 - The maintenance of community assets and relationships
 - Work associated with the prison or the Department generally

- Recreation and leisure activities
 - Religious observance (such as attendance at places of worship)
 - Other (including to facilitate the purchase of liberty clothing, opening bank accounts prior to release etc).
- 5.2.3. Such activities do not include:
- Paid employment or work experience and job seeking activities in accordance with [Policy Directive 68 - Prisoner Employment Program](#)
 - Reintegration leave in accordance with [Policy Directive 66 - Re-Integration Leave](#).
- 5.2.4. Activities undertaken externally to a prison's secure perimeter but on gazetted prison property shall require a risk assessment to be conducted by the Designated Superintendent (Prisons Procedure 301 – External Activities – Appendix A) for approval by the ACACO in order for that activity to be considered exempt from these Procedures. If no secure perimeter is present, then all activities will require a risk assessment to be conducted in order for each activity to be appropriately assessed for exemption.

6. Approval of external activities

- 6.1. As a general rule, priority should be given to work associated with community charitable or voluntary projects providing skills building opportunities.
- 6.2. Information regarding a proposed external activity in accordance with s 95 of the [Prisons Act 1981](#) may be received from community groups or other organisations, or from Departmental staff within the organisation. The person, group or organisation proposing an external activity shall provide a written submission seeking approval for the external activity to the Designated Superintendent.
- 6.3. In the event that the proposed external activity is a community work project a [Project Nomination Form](#) is to be completed (refer Section 7 and Section 8 for further information).
- 6.4. External activities proposed should be appropriate to the profile of the prisoners at the facility (eg young prisoners, females, Aboriginal prisoners).
- 6.5. The Designated Superintendent shall request that the Authorised Assistant Superintendent completes Appendix B – Request for the Approval of an External Activity Program and seek endorsement from the Director Prisoner Education, Training and Employment (if the activity involves attendance at an educational/vocational training for educational/vocational purposes).
- 6.6. The Designated Superintendent shall determine whether the application for an external activity should be recommended to the Assistant Commissioner Adult Custodial Operations (ACACO) by taking into account the following:
- The safety of the community, staff and prisoners participating in the activity program (including the presence of children and whether any mitigating factors exist)
 - The nature of the activity and whether the activity achieves the intent of s 95 of the [Prisons Act 1981](#)

- The expected number of prisoners involved in the activity, the level of supervision required and the required expertise of the Supervising Officer(s). If the proposed Supervising Officer to prisoner ratio is expected to exceed 1:8, approval may be sought at the time of activity approval (refer also to Section 11.1.1 below)
 - The location of the activity and the suitability of the location
 - The community and political expectations
 - The skills of the prisoners participating in the activity and the skills required for the activity to be undertaken
 - The existence of contingency plans for emergency cancellation of the activity
 - The requirement of Public Liability Insurance as noted in Section 15
 - Activities involving swimming or access to bodies of water should only be considered if the area is known to be a safe swimming area. Swimming is only to be permitted in the presence of a Supervising Officer who possesses a Senior First Aid qualification. Essential equipment is required (minimum): Communications via telephone, satellite phone or radio, first aid kit, and a rescue device such as a rescue tube. The Designated Superintendent shall ensure that the prisoner to Supervising Officer ratio is appropriate for environmental conditions and the capabilities of the prisoners undertaking the activity
 - If overnight accommodation is required, details shall be provided including why daily transport to and from the prison or work camp is impractical or inefficient, what accommodation facilities are available, the location of the accommodation, what logistic support and supervision is available and the safety of supervising staff. Details of possible victim issues and community perception shall also be required.
- 6.7. If the external activity is recommended by the Designated Superintendent, Appendix B – Request for the Approval of an External Activity Program is to be forwarded to the ACACO for consideration in line with Section 6.10 below.
- 6.8. The Designated Superintendent may choose not to approve an application for an external activity, based on the considerations in Section 6.7. The Designated Superintendent shall ensure that the community group, organisation or Departmental staff member proposing the external activity is notified of the non-approval in writing.
- 6.9. The ACACO shall determine the suitability of an activity, in accordance with s 83(3)(a) of the [Prisons Act 1981](#), r 54D of the [Prisons Regulations 1982](#) and [Policy Directive 9 - Permit for Absence](#) and taking into consideration the following:
- Whether the proposed activity places any individual or the public at risk
 - The possibility of negative public perception; adverse media attention or whether the activity is of a type to cause undue controversy
 - Activities should be specific to individual locations
 - Whether children may be present at the time of the activity - prisoners will not have access to premises at times where children may be

present unless the ACACO is satisfied that mitigating factors are in place

- Whether the activity complies with the intent of these Procedures and is not considered to be a PEP activity (refer to [Policy Directive 68 - Prisoner Employment Program](#)).
- 6.10. The ACACO shall approve the Appendix B – Request for the Approval of an External Activity Program in accordance with this Section or deny the application. The relevant prison’s Designated Superintendent will be advised whether the Appendix B - Request for the Approval of an External Activity Program has been approved or denied. A copy of the form approved by the ACACO shall be forwarded to the relevant prison for their records.
- 6.11. Upon approval the ACACO shall ensure that the details of the approval are uploaded onto the relevant prison’s [Approved External Activities](#) list on CSinet.
- 6.12. A copy of the approved request for an external activity is to be provided to the approved activity applicant in line with the requirements stated in Appendix B – Request for the Approval of an External Activity Program.
- 6.13. Accommodation for any overnight stay must be approved by the ACACO, who will consider the criteria included in Section 6.6 and Section 6.9. Where the approval is granted, the ACACO is to be satisfied that the approval provides minimal risk to the community.
- 6.14. The Designated Superintendent shall ensure procedures are in place for informing both prisoners and officers of approved activities.

7. Community work projects

- 7.1. All external activity approvals are to be managed in accordance with Section 6 above. Community work projects may be further approved once the external activity location has been approved in accordance with Section 6 by the Designated Superintendent in accordance with this section.
- 7.2. As a general rule, community work projects should:
- Provide maximum benefit to the community through improving infrastructure and assets
 - Be community work projects that would otherwise not be completed through any other means due to lack of community resources, funding or volunteers
 - Be for not-for-profit community organisations
 - Be highly visible and used by the local community and tourists alike
 - Be skills-based and provide prisoners with links to formal training, accreditation and/or prospective employment.
- 7.3. Community work projects should generally fall into 1 of the following 4 categories:
- Environmental – ie tree planting, salinity control, coastal regeneration, eradication of non-indigenous vegetation and elimination or control of fire hazards

- Recreation/tourism – ie maintenance and development of national park infrastructure, nature reserves, tourist parks and rest areas, which may include the construction of trails, footbridges, information shelters, BBQs and picnic facilities
 - Heritage – ie maintenance and restoration of heritage sites and buildings of significant historical value, pioneer cemeteries and homesteads
 - Smaller local community projects – ie ‘Tidy Town’ and street scaping projects, upgrading community facilities such as recreation halls and parks, and the construction of facilities for local sporting clubs.
- 7.4. Community work projects generally considered unsuitable include:
- Projects that are normally provided through a shire’s rate base, such as roads and footpaths tip work, rubbish collection and maintenance of shire assets
 - Environmental work already funded by the Department of Parks and Wildlife or the Department of Environment Regulation
 - Work for individuals or commercial operations
 - Work that takes jobs away from existing employees or impacts on other government employment programs
 - Work that does not give prisoners useful employment skills
 - Work where prisoners may have authorised access to the internet such as community telecentres (unless supervised at all times).
- 7.5. Prisoners should only be involved in work which does not give prisoners useful employment skills when it is part of a whole of community effort, such as ‘Clean up Australia Day’, assistance after natural disasters or for community ‘busy bees’.

8. Community work project approvals

- 8.1. All proposed community work projects shall require the community organisation to complete a [Project Nomination Form](#) (refer also Section 6.2). Once completed, the form is to be forwarded to the Designated Superintendent to approve the project according to the project criteria and guidelines outlined in Section 7.
- 8.2. Before approving a project, the Designated Superintendent must ascertain that it is to be conducted within the constraints of an Approved External Activity and that the location and type of activity is listed in the Approved External Activities list published in CSinet.
- 8.3. All approved community work projects are to be reviewed at least 6 monthly, in order to ensure that there have been no changes that may affect the suitability of the work. At each review, the Designated Superintendent shall ensure that a new [Project Nomination Form](#) is completed by the community group and received at the prison.
- 8.4. No work can be undertaken on a community work project unless the community group can provide proof of Public Liability Insurance (see also Section 15).

- 8.5. Once a project is completed, the Designated Superintendent shall ensure that a [Project Feedback Form](#) is forwarded to the community group, requesting feedback on the level of satisfaction with the quality and timeliness of the project. All feedback received is to be made to the relevant prison and, where applicable, the work camp.

9. Approval of prisoners to participate in external activities

- 9.1. The Designated Superintendent shall ensure that prisoners are aware of the availability of external activities and shall provide assistance to prisoners to apply for participation. The Designated Superintendent shall ensure that those prisoners who may be eligible for participation who have not initiated an application are appropriately assessed for inclusion, if appropriate.
- 9.2. The following prisoners are ineligible for participation in external activities:
- 9.2.1. In accordance with s 83(1)(a) of the [Prisons Act 1981](#) and [Policy Directive 9 – Permits for Absence](#), a prisoner must have achieved a current minimum security rating to be eligible to be considered for participation in a s 95 external activity.
- 9.2.2. Any prisoner who is subject to the Criminal Law (Mentally Impaired Accused) Act 1996. If a leave of absence is ordered by the Mentally Impaired Accused Review Board for the purposes of treatment or training (etc) in line with Criminal Law (Mentally Impaired Accused) Act 1996, no further assessment shall be made of the prisoner. Advice of the leave of absence request is to be forwarded to the ACACO by the relevant Designated Superintendent prior to the prisoner's leave of absence.
- 9.2.3. Any prisoner who is subject to or under consideration for a continuing detention order made under the [Dangerous Sexual Offenders Act 2006](#). If an Order for participation in a leave of absence for participation in activities in the community is made by the Supreme Court as part of a release preparation plan, advice is to be forwarded to the Assistant Director Sentence Management by the Designated Superintendent prior to the prisoner's leave of absence. Prisoners are not to be further assessed under these Procedures.
- 9.2.4. Any prisoner where written advice has been received from Western Australia Police of the intention to seek extradition or when a warrant relating to extradition has been issued by the court.
- 9.2.5. Any prisoner who has been convicted of any [Prisons Act 1981](#) s 70 offences within the 3 months prior to his or her application.
- 9.2.6. Any prisoner with any outstanding [Prisons Act 1981](#) s 70 prison charges.
- 9.2.7. Any prisoner serving a life or indefinite sentence. These prisoners shall only be approved for participation in external activities as part of an approved Re-Socialisation Programme (refer to [Policy Directive 79 – Re-Socialisation Programmes](#)).
- 9.3. The following prisoners' assessments for participation in s 95 activities shall require approval by the Assistant Director Sentence Management or his/her delegate:

- 9.3.1. Any prisoner who is liable for an order under the [Dangerous Sexual Offenders Act 2006](#). Such prisoners shall only be approved following the successful completion of all recommended medium and high intensity sex offender treatment programs.
- 9.3.2. Any prisoner who may be liable for, or has been confirmed for removal from Australia. The prisoner's attitude toward their removal is to be taken into consideration when determining the prisoner's participation in external activities under these Procedures.
- 9.3.3. Any prisoner who has a current offence in the category of 'highest' on the Offence Severity Scale (refer [Sentence Management Manual](#)).
- 9.4. The following eligibility considerations apply to all prisoners being considered for participation in external activities:
 - 9.4.1. Generally, no prisoner is to be approved for participation in s 95 activities if he or she has a pending [Prisons Act 1981](#) s 69 charge, or has been convicted of any s 69 prison offence within 3 months prior to his/her application.
 - 9.4.2. Minimum security prisoner located at the external activity home prison.
 - 9.4.3. No prisoner is to be approved for participation in unsupervised s 95 external activities unless they have successfully attended supervised external activities on 10 separate days.
 - 9.4.4. Generally, prisoners who are remand only status are not eligible to be considered for participation in external activities. Inclusion of prisoners who are remand only status shall require justification.
 - 9.4.5. Any decision as to whether to progress a prisoner's application is to be made by considering the prisoner's participation or completion of recommended treatment programs.
 - 9.4.6. Prisoners shall be assessed by Health Services staff in regard to medical conditions or the administering of medication which may prohibit their participation in the nominated external activities, prior to being considered for participation in an external activity program.
 - 9.4.7. No prisoner is to proceed on an s 95 [Prisons Act 1981](#) external activity unless a 'Suitability for External Activities or Work camp' Checklist has been completed and assessments are current (eg Management and Placement (MAP) Checklist and – refer [Adult Custodial Rule 18 – Assessment and Sentence Management of Prisoners](#)).
- 9.5. An Officer authorised by the Designated Superintendent shall complete the relevant checklist to assess the suitability of a prisoner for external activities and make a recommendation for participation.
- 9.6. The Officer authorised by the Designated Superintendent shall provide comment in relation to each of the below suitability considerations. Information shall be sought from existing assessment reports (ie previous External Activity applications) and from internal and external stakeholders where applicable:
 - 9.6.1. Victim issues and any related outstanding orders. Comment should include the likely proximity of any identified victims to the external activity location.

- 9.6.2. Previous performance on community supervision, absence permits or bail, prison employment or other external activity programs within the last 5 years.
- 9.6.3. The prisoner's MAP – Sentenced is approved and not overdue.
- 9.6.4. The nature of the prisoner's offences.
- 9.6.5. Consideration of social supports and community stability.
- 9.6.6. Psychiatric history and mental health issues or cognitive function issues, if known.
- 9.6.7. Prisoner management reports, including incidents, 'Notes' and loss of privileges.
- 9.6.8. Prisoner's attitude to a parole decision affecting the current period of imprisonment, where applicable.
- 9.6.9. Prison industry, employment and education reports.
- 9.6.10. TOMS alerts which may impact on participation.
- 9.6.11. Outstanding criminal charges.
- 9.6.12. History of attempted and actual escapes.
- 9.6.13. If the prisoner is to drive a vehicle, the Officer authorised by the Designated Superintendent is to confirm that the prisoner has a valid Western Australian driver's licence and has completed the Department's appraisal test (see also Section 14 below) and/or has a relevant qualification to drive the vehicle, and
- 9.6.14. Any other considerations that may affect the prisoner's successful participation in external activities.
- 9.7. In approving the s 95 application, the designated Superintendent must be satisfied the prisoner is suitable to participate in external activities and the risks associated with the placement are adequately addressed. If the designated Superintendent has concerns about safety and / or security of the prisoner or the community, they should refer the application to the [Intelligence Services Directorate](#) for an intelligence check. The designated Superintendent shall consider the information provided by the Intelligence Service Directorate in approving the s 95 application.
- 9.8. The application shall be forwarded to the Authorised Assistant Superintendent to assess the application and, considering the information provided by the Officer authorised by the Designated Superintendent, may deny the progression of the application, or recommend the application be progressed to the Designated Superintendent. The Authorised Assistant Superintendent shall also provide comment in regards to whether the prisoner should be considered for supervised or unsupervised activities, in accordance with Sections 9.4.2 and 9.4.3 above. In the event that the Authorised Assistant Superintendent denies the progression of the application, they shall record their decision and submit comments supporting their decision on TOMS in 'External Activities Suitability' and advise the prisoner.
- 9.9. In the event the Authorised Assistant Superintendent recommends the application for progression, the Designated Superintendent shall consider the information provided by the Officer authorised by the Designated Superintendent and the additional safety of the community, staff and

prisoners factors before approving a prisoner for placement at a work camp (or recommending to the Assistant Director Sentence Management or delegate in respect of those prisoners stated in Section 9.3 above).

- 9.10. The Designated Superintendent (or Assistant Director Sentence Management or delegate in respect of those prisoners stated in Section 9.3 above) shall determine whether the prisoner is approved or otherwise to participate in an external activity and whether that approval is for participation in supervised or unsupervised activities. Supervised activities shall require the physical presence of a Supervising Officer (see Section 4).
- 9.11. The Designated Superintendent (or Assistant Director Sentence Management or delegate in respect of those prisoners stated in Section 9.3 above) shall record their decision and submit comments supporting their decision on TOMS in the 'External Activities Suitability' module and advise the prisoner. Each prisoner's suitability shall require review in 6 months from the time of the initial approval, and every 6 months thereafter (refer Section 11.4.2).
- 9.12. The Designated Superintendent (or Assistant Director Sentence Management or delegate in respect of those prisoners stated in Section 9.3 above) shall record any restriction or conditions applicable to the prisoner on TOMS in the 'External Activities Suitability' module (refer Section 9.11 above).
- 9.13. The Designated Superintendent shall ensure that prisoners understand and agree to the standard behaviour expected of them whilst undertaking an approved external activity and shall ensure that prisoners sign a copy of Appendix D – Prisoner's Contract to Participate in External Activities prior to participating in an external activity.

10. The Absence Permit

- 10.1. All prisoners participating in external activities shall be recorded on the prison's Transfer and Discharge Sheet. Such prisoners shall be recorded as an absence in the Gate Movement Module as a temporary placement. In accordance with [Policy Directive 9 – Permits for Absence](#), an Absence Permit for the purposes of external activities (except for work camps) shall be in the form of the Transfer and Discharge sheet, approved by the superintendent, in line with [Policy Directive 82 – Prisoner Movements](#).
- 10.2. An Absence Permit for the purpose of engaging in an external activity may provide for more than 1 absence but each absence shall not exceed 12 hours plus travelling time to and from the prison. However, consecutive permits that result in overnight stays may be made.
- 10.3. An Absence Permit for the purpose of work camp placement shall be issued for a specified period, up to the prisoner's Earliest Release Date (sentenced or remand) and shall not exceeding 6 months in duration. The Designated Superintendent shall ensure that every prisoner participating in external activities or placed at a work camp has their suitability reviewed in accordance with Prisons Procedures 302 – Work camp and refer to Section 11.5 below.

- 10.4. The prisoner shall be advised of the following standard conditions which shall be imposed on a prisoner's participation in external activities unless otherwise determined and documented during the approval process (refer Section 9.13 above):
- Obey any instruction from the activity coordinator or Supervising Officer
 - Not to handle money
 - Not to access mobile phones or internet
 - Not to consume poppy seeds in any form
 - Not to receive any visitors unless the visitor has received prior approval (refer to Section 13)
 - Not to be in the possession of, or to consume or otherwise take in alcohol
 - Not to be in the possession of, or to consume or take in drugs unless prescribed by a medical practitioner
 - Whether smoking is permitted, and if so, the conditions in regard to any applicable smoking policy
 - Any other conditions may be imposed as required.
- 10.5. Failure to adhere to any of the above conditions, or any other condition imposed in relation to the absence, may result in participation in external activities being suspended or cancelled, and may result in the preferring of a prison charge in accordance with s 69 or 70 of the [Prisons Act 1981](#).
- 10.6. The Designated Superintendent shall establish procedures for the management of a prisoner's non-compliance while participating in an approved external activity.
- 11. Monitoring, recording and evaluation of prisoners during external activities**
- 11.1. Supervision of prisoners participating in external activities**
- 11.1.1. In relation to supervised activities, the Supervising Officer to prisoner ratio for any 1 activity at any 1 location shall be no more than 1:8. In the event that an activity requires this ratio to be exceeded, approval is to be sought from the ACACO prior to the prisoners' involvement in the activity.
- 11.1.2. The Supervising Officer shall arrange for telephone and/or physical security checks on prisoners undertaking unsupervised external activities. These checks shall include enquiries in regard to the behaviour of the prisoner(s). The frequency and times of checks will be at the discretion of the superintendent.
- 11.1.3. In relation to unsupervised activities, in the event that a Supervising Officer believes that a threat to the prisoners, staff or the community exists at any time during the activity, the Supervising Officer may make arrangements for the activity to be cancelled and the prisoners returned to the prison. In the event this occurs, the superintendent is to be advised and a report is to be submitted in accordance with [Policy Directive 41 – Reporting of Incidents and Additional Notifications](#). Such a threat may be communicated to the Supervising Officer by the activity coordinator.

- 11.1.4. In relation to a supervised activity, if the Supervising Officer believes that a threat to the prisoners, staff or the community exists at any time during the activity, the Supervising Officer may cancel the activity and return the prisoners to the work camp or prison. In the event this occurs, the superintendent is to be advised and a report is to be submitted in accordance with [Policy Directive 41 – Reporting of Incidents and Additional Notifications](#).
- 11.2. Monitoring and review of prisoners’ participation in activities**
Daily monitoring and review of participation
- 11.2.1. In regard to unsupervised activities, the prisoners’ Supervising Officer shall ensure that, following checks undertaken in accordance with Section 11.1.2 above, observations in regard to prisoners’ behaviour are noted. Any negative behaviour reportedly displayed by a prisoner is to be reported to the Authorised Assistant Superintendent and recorded on ‘Notes’ on TOMS. An Incident Report is to be submitted if necessary (refer [Policy Directive 41 – Reporting of Incidents and Additional Notifications](#)).
- 11.2.2. Prisoners undertaking supervised activities shall be monitored during the activity. Any negative behaviour reportedly displayed by a prisoner is to be reported to the Authorised Assistant Superintendent and recorded on ‘Notes’ on TOMS. An Incident Report is to be submitted if necessary (refer [Policy Directive 41 – Reporting of Incidents and Additional Notifications](#)).
- 11.2.3. The Designated Superintendent shall ensure that, where negative behaviour is displayed (refer Sections 11.2.1 and 11.2.2 above), a review is undertaken of the prisoner’s suitability to participate in external participation in external activities prior to permitting the prisoner to continue participating in external activities.
- 11.2.4. All prison staff shall be vigilant in regard to reporting any incident or information which may affect a prisoner’s successful participation in s 95 activities. Any such incident or information shall be reported in accordance with [Policy Directive 41 – Reporting of Incidents and Additional Notifications](#).
- 11.3. Ongoing review**
- 11.3.1. In accordance with [Policy Directive 51 – Case Management](#), staff are encouraged to document on ‘Notes’ on TOMS any positive behaviour demonstrated by the prisoner during participation in activities as evidence of the prisoner’s effort and/or attitude towards progress against their Individual Management Plan.
- 11.3.2. Further comment shall be made by the prisoner’s case officer, as to the prisoner’s conduct on external activities on Primary and Regular Contact Reports in accordance with [Policy Directive 51 – Case Management](#), using information provided in accordance with Section 11.2.1 and 11.2.2 above. Refer also Section 11.2.4 in regard to prison staff reporting incidents or information which may affect a prisoner’s successful participation in s 95 activities.
- 11.4. Mandatory review, suspension or cancellation of s 95 activities**
- 11.4.1. The Designated Superintendent shall ensure that where a prisoner’s circumstances alter (refer [Adult Custodial Rule 18 – Assessments and Sentence Management of Prisoners](#) for considerations as to changes in

circumstances) a review is undertaken of the prisoner's suitability to participate in external activities.

- 11.4.2. The Designated Superintendent shall ensure that, where intelligence is received from CSID which may affect a prisoner's successful participation in supervised or unsupervised external activities, the prisoner's participation in external activities is suspended pending an investigation into the information received.
- 11.4.3. The Designated Superintendent shall ensure that, in the event a prisoner is found guilty of a s 69 prison offence, a review of the prisoner's participation in external activities is undertaken, considering the severity and type of offence.
- 11.4.4. The Designated Superintendent shall ensure that, in the event a prisoner participating in external activities is charged with any s 70 prison offence, the prisoner's participation in external activities is suspended pending the outcome of the charge.
- 11.4.5. The Designated Superintendent shall ensure that, in the event that a prisoner is found guilty of a s 70 prison offence, the prisoner will be ineligible to participate in external activities for a period of 3 months, after which time he/she may reapply for participation.
- 11.5. **Comprehensive 6-monthly review**
 - 11.5.1. The Designated Superintendent shall ensure that every prisoner participating in external activities, whether supervised or unsupervised, has their suitability reviewed on a 6-monthly basis. The requirements of Section 9 shall apply in regard to these reviews. Each review shall require the completion of the 'Suitability for External Activities or Work camp' Checklist.
- 11.6. **External activity review**
 - 11.6.1. The Designated Superintendent shall ensure that all approved activity programs are reviewed on a 6-monthly basis (refer Appendix C – External Activity Review) to:
 - Ensure the tasks being conducted by prisoners during approved activity programs comply with approval provided
 - Ensure that the contact details in regard to the activity's management remain current
 - Ensure that the activity's Certificate of Currency remains current (refer also Section 15)
 - Monitor any changes in the circumstances of an approved activity, to ensure the activity remains suitable.
 - 11.6.2. In the event that the Designated Superintendent is advised that an approved external activity is no longer suitable to achieve the intent of s 95 of the [Prisons Act 1981](#), the Designated Superintendent shall complete Appendix C – External Activity Review and cancel prisoners' attendance at the activity.

12. Searching, drug and alcohol testing

- 12.1. Prisoners participating in external activities shall be searched on each occasion they enter or leave a prison in accordance with [Policy Directive 26 – Searches](#).

- 12.2. Prisoners will be tested for the use of alcohol, illicit and non-prescribed drugs upon return to prison whilst actively participating in external activities, as directed by the superintendent.

13. Visits and communication with prisoners

- 13.1. Prisoners are not to receive visitors while at external activity locations unless the visitor is an approved visitor with prior arrangements made with the prison concerned, in accordance with s 52(1) of the [Prisons Act 1981](#). If visitors are approved in accordance with this section, a booking on TOMS shall be made.
- 13.2. Any person who communicates or attempts to communicate with prisoners or loiters in the area in which prisoners are undertaking external activities without prior approval in accordance with Section 13.1 above commits an offence (s 52 of the [Prisons Act 1981](#)).
- 13.3. Any person found near a prisoner or communicating or attempting to communicate with a prisoner at an activity location without prior approval in contravention of Section 13.1 above is to be requested to leave the area.
- 13.4. If the person refuses to leave the area when requested to do so in accordance with Section 13.3 above, the Supervising Officer shall segregate the prisoners from the person(s) concerned and contact the superintendent of the prison if practicable to do so for advice or assistance. The Supervising Officer may cancel the activity in accordance with Section 11.1.4 above.
- 13.5. In the event that a person who refuses to leave the area when requested to do so poses an imminent threat to prisoners, staff or the community, the Supervising Officer may contact Western Australia Police Operations (telephone 131444) to facilitate an arrest of the person. In the event of an emergency, the Supervising Officer is to contact 000. Upon the return of the prisoners and officer(s) to the prison, an Incident Report is to be submitted in accordance with [Policy Directive 41 – Reporting of Incidents and Additional Notifications](#).
- 13.6. In the event that a prisoner is found to be in contravention of this Section during an unsupervised activity, the activity coordinator is to contact the relevant prison for further instruction.

14. Driving of vehicles during approved external activities

- 14.1. Prisoners may drive an external activity coordinator's vehicle during participation in an external activity only if approved as part of the assessment process (refer Section 9.6).
- 14.2. Prisoners may be permitted to drive Departmental vehicles while participating in approved activities. Any use of vehicles shall be permitted only in accordance with [ACCO Notice 4/2013](#).
- 14.3. If Section 14.1 or 14.2 apply, confirmation must be provided that the prisoner is in possession of a valid and appropriate class of WA Motor Vehicle driver's licence, and has passed a driver's appraisal test run by the Department of Corrective Services.

- 14.4. Section 14.3 above does not apply where the approval in line with Section 14.1 is to enable a prisoner to undertake driving instruction from a suitably experienced driving instructor.
- 14.5. If prisoners are required to operate machinery during approved activities, confirmation must be provided that the prisoner is in possession of a valid licence and/or relevant qualification, if required.
- 14.6. Section 14.5 above does not apply where the machinery is to be operated to enable a prisoner to gain a qualification, licence or permit in the machinery's operation and is supervised by a suitably qualified instructor.

15. Public Liability Insurance

- 15.1. Beneficiaries of work undertaken by any prisoner are required to hold Public Liability Insurance.
- 15.2. A Certificate of Currency is to be sighted by the Authorised Assistant Superintendent before the request for approval of the external activity in accordance with Section 6 is forwarded to the ACACO. Any Certificate of Currency shall be required to be valid for longer than 6 months, or for the duration of the activity.
- 15.3. In the event that a community group wishes to nominate a community work project in accordance with Section 7 and Section 8 above, a copy of the Certificate of Currency must be included with each [Project Nomination Form](#); however, for community groups that utilise prisoner labour on a regular basis, a Certificate of Currency need only to be provided annually.
- 15.4. Public Liability Insurance is to cover all persons (prisoners, officers, instructors and tradesmen) involved in the activity.
- 15.5. Each prison shall hold copies of Certificates of Currency for all approved external activities in accordance with this Section. Where applicable, copies of Certificates of Currency shall be held at the relevant work camp.

16. Safe work practices

- 16.1. The Department and its employees have a duty of care to prisoners during approved activities. Prisoners are to be supervised as appropriate and not placed at risk, either from other prisoners or their own actions. Orientation processes are to be conducted with each prisoner as appropriate when commencing external activities.
- 16.2. Care of prisoners participating in s 95 activities includes providing clear instructions and ensuring appropriate training has been conducted, in accordance with the [Occupational Safety and Health Act 1984 \(OSH\)](#). The provision and use of personal protective equipment shall be made in accordance with OSH requirements.
- 16.3. Where the use of machinery and equipment that has the potential to cause harm and is operated under the control of the Department of Corrective Services is required, Safe Operating Procedures must be developed and/or followed. [Safe Operating Procedures](#) for machinery and equipment commonly used is available on CSinet.

- 16.4. Where the use of chemicals or substances is required, Material Safety Data Sheets (MSDS) must be provided, and instructions followed. MSDS are available from [ChemAlert](#) on CSinet.
- 16.5. In the case of an accident or injury whilst participating in an external activity, the prisoner must advise their Supervising Officer or activity coordinator as soon as practicable of the details of the incident.
- 16.6. Assistance shall be provided by the Supervising Officer or activity coordinator as deemed appropriate.
- 16.7. On returning to the prison following an incident (accident or injury) the prisoner is to be assessed if practicable by a Department of Corrective Services Medical Practitioner.
- 16.8. The Supervising Officer shall ensure that necessary reporting is undertaken as detailed in [Policy Directive 41 – Reporting of Incidents and Additional Notifications](#). In addition to the requirements of PD 41, the report on TOMS shall detail the following information, in accordance with [Hazard and Incident Reporting Procedures](#):
 - Details of the injury or accident
 - Location of where the incident occurred
 - Description of the incident including cause and type of equipment involved, if any
 - Indicate if other employees or prisoners were involved in the incident
 - Where the injured person was taken to and what medical attention was given, if applicable.

17. Record keeping

- 17.1. Any paperwork or forms not available electronically (including signed application forms) are to be stored on the prisoner's Prisoner Management File for on-forwarding to the Corporate Records Branch upon the prisoner's release.

18. Relevant instruments and other documents

- 18.1. Legislation
 - [Prisons Act 1981](#).
- 18.2. Other documents
 - [Prisons Procedure 302 – Work camps](#).

19. Appendix

- [Appendix A – Request for an Exemption from Prisons Procedure 301 of an Activity](#)
- [Appendix B – Request for the Approval of an External Activity Program](#)
- [Appendix C – External Activity Review](#)
- [Appendix D – Prisoner's Contract to Participate in External Activities](#).

20. Version control and amendments

Version no	Primary author(s)	Description of version	Date completed
0.1	Stephen Reddy	Renamed from PD 53 and amended	24 May 2016
0.2	Stephen Reddy	AJS comments and input	2 June 2017
0.3	Stephen Reddy	Final Draft for approval	6 June 2017
1.0	Stephen Reddy	Approved	9 June 2017
2.0	Scott Rumbold	Amended and approved with the introduction of Prisons Order 04/2019 – Work camp eligibility	26 June 2019
3.0	Scott Rumbold	Amended due to Prisons Order 01/2020 - Suspension of Prisoner Re-integration Leave, Prisoner Employment Programs and External Activities	31 March 2020
4.0	Scott Rumbold	Amended to allow for the revocation of Prisons Order No 01/2020.	9 July 2020