



**Religious and Spiritual Activities - Procedures**

- Relevant instruments:** [Prisons Act 1981](#)  
[Prisons Regulations 1982](#)  
[Adult Custodial Rule 7: Communication - Visits](#)  
[PD 9: Permit for Absence](#)  
[PD 18: Prisoner Orientation](#)  
[PD 53: Activity Programmes](#)  
[At Risk Management System \(ARMS\) Manual](#)

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## 1. Purpose

These procedures support and operationalise Policy Directive 7. They aim to provide clear directions and standards to assist staff with various elements of religious and spiritual activities.

## 2. Scope

These procedures apply to both public and private prisons.

## 3. Definitions and acronyms

<b>Chaplain</b>	A person who is contracted by the Department of Corrective Services (DCS) to provide a funded service and facilitate chaplaincy work and religious activities within a prison.
<b>Coordinating chaplain</b>	The Chaplain appointed by the Prison Chaplains' Association to facilitate chaplaincy work and religious activities in a particular prison.
<b>Designated Superintendent</b>	The Superintendent as defined in s 36 of the <a href="#">Prisons Act 1981</a> and includes any reference to the position responsible for the management of a private prison under Part IIIA of the <i>Prisons Act 1981</i> . Does not extend to the Officer in Charge of a prison.
<b>Non-Contracted Services Panel</b>	The Panel evaluates and approves applications to deliver services to prisoners in Western Australian (WA) prisons that are not currently contracted or delivered under a Memorandum of Understanding (MOU) with the Department of Justice, Corrective Services (Corrective Services).
<b>Prison Chaplains' Association</b>	The Association of which members consist of religious representatives officially appointed by their churches or by the Churches Chaplaincy Committee, endorsed by the DCS and whose appointment is acknowledged by the Heads of Churches to work in prisons or detention centres in a chaplaincy capacity.
<b>Ramadan</b>	A major Islamic religious event. Devotees are required to fast from dawn until sunset for one month. The event concludes with the feast of Eid-al-Fitr.
<b>Religious article</b>	An item (including literature) of special significance that has spiritual, religious or devotional meaning.
<b>Religious / spiritual visitor</b>	A person approved to visit prisoners under s 95E(b) of the <i>Prisons Act 1981</i> . Religious/Spiritual visitors are not employees or contracted with the Department, they are strictly visitors for the purpose of providing religious or spiritual guidance to prisoners.
<b>Superintendent</b>	The Designated Superintendent or Officer in Charge (OIC) of a public prison and the Director or OIC of a private prison.

## Procedures

### 4. Staff awareness

Designated Superintendents, in conjunction with Chaplains, shall make information available to staff regarding religious/spiritual beliefs and diversity. This includes encouraging and supporting staff to access available training and information sessions where practicable.

Available resources include:

- The DCS [Training Academy](#) offers a course specific to working with diversity.
- [Diverse WA - Cultural Competency Training](#) is an interactive training program provided by the Office of Multicultural Interests (OMI) and can be completed online. Access is restricted to WA Public Sector staff, using their Departmental email address.
- The OMI also provides [information sheets on culture and religion](#).

### 5. Religious registration

- 5.1 Upon reception, prisoners are to be asked to state their religion and/or denomination, or to register as 'nil-religion' (in line with the [Prisons Regulations 1982](#) – 38(1)(b)). Staff should ensure that this information is obtained accurately and respectfully.
- 5.2 Prisoners are to be informed that should they wish to change their religious registration at any time, they are to do so by submitting a [Notification – Change of Religion Form - Appendix 3](#).
- 5.3 A copy of the completed form is to be forwarded to the Justice Intelligence Services and the Manager Information Release. A copy should also be provided to the coordinating Chaplain at the prison. The original form shall be placed on the prisoner's file.
- 5.4 The Manager Information Release will arrange for the prisoner's TOMS profile to be amended to reflect the change.

### 6. Activities and daily regime

- 6.1 Designated Superintendents shall have procedures for the provision of religious and spiritual activities.
- 6.2 Schedules of all religious and spiritual activities/services shall be posted in places easily visible to all prisoners and officers.
- 6.3 When scheduling the prison's daily regime or religious and spiritual activities, consideration must be given to significant religious/spiritual days and practices relevant to the prisoners' beliefs (ie prayer times or religious events such as Ramadan).

## **6.4 Activities outside of the prison**

Where those activities involve participation outside the prison:

- approval for the activity shall be provided in accordance with [PD 53 - Activity Programmes](#) and s 95 of the [Prisons Act 1981](#)
- prisoners may be granted Absence Permits to participate in external religious/spiritual activities in accordance with [PD 9 - Permit for Absence](#) and Part VIII of the [Prisons Act 1981](#).

## **6.5 Activities within the prison**

- 6.5.1 Designated Superintendents shall designate areas for religious/spiritual activities.
- 6.5.2 Designated Superintendents, in conjunction with the prison Chaplains, shall establish guidelines for the use of designated areas.
- 6.5.3 Procedures shall inform prisoners and officers of the facilities set aside for conducting religious/spiritual services (including visits) and the guidelines for use of such facilities.

## **7. Support**

- 7.1 Prison Chaplains should liaise regularly with reception staff to identify newly received prisoners and their associated religious/spiritual requirements.
- 7.2 In line with [PD 18 – Prisoner Orientation](#), during the orientation process, or on transfer in to a prison, prisoners shall be made aware of:
  - the scope and availability of religious/spiritual activities
  - the application process to be seen by a member of the Chaplaincy
  - the application process to have a representative of their declared faith attend the prison.
- 7.3 Where prisoners express a desire to meet with the prison Chaplain, staff are to notify the Chaplaincy as soon as practicable.
- 7.4 In line with the At Risk Management System (ARMS) Manual, the prison Chaplaincy should be considered as part of the support process for prisoners who may be 'at risk'.
- 7.5 Prisoners may receive support and guidance (including visits) from approved religious/spiritual representatives (includes the Prison Fellowship). Refer to section 8 for further detail.
- 7.6 Where a prisoner's faith is not already represented, arrangements should be made by the Chaplaincy for the prisoner to have access to a religious/spiritual visitor of their own faith.

## 8. Religious and spiritual visitors

In line with [Adult Custodial Rule 7 – Communication – Visits](#), religious/spiritual representatives may be permitted to attend the prison as an ‘other visitor’.

### 8.1 Verification and approvals

- 8.1.1 Religious and spiritual representatives wishing to visit prisoners to deliver services shall email [rrservicerequests@justice.wa.gov.au](mailto:rrservicerequests@justice.wa.gov.au) to obtain a Non-Contracted Services Panel (the Panel) pack to deliver services at one or more prisons.
- 8.1.2 Individuals/organisations seeking the payment of a fee from a prisoner for a service or program will not be eligible to deliver services in WA prisons unless authorised by the Commissioner.
- 8.1.3 The Secretariat shall forward the completed application forms to the Panel for consideration at the next meeting.
- 8.1.4 The Panel shall refer application forms to the relevant business area(s) for review and recommendation. Applications are also referred to the Superintendent.
- 8.1.5 The Panel shall forward the application to Intelligence Services for security checks.
- 8.1.6 The Panel shall consider all applications in accordance with their procedures.
- 8.1.7 The Panel shall advise the applicant and the relevant prison(s) of the decision.
- 8.1.8 The Secretariat shall manage the central register of approved Religious and Spiritual - s95E (b) service providers, circulate to prisons and review, in accordance with their procedures.
- 8.1.9 The Panel approval will be valid for a period of 12 months from the date of approval. After the 12 months service providers shall be required to submit another application if they wish to continue to attend the prison.
- 8.1.10 Superintendents shall ensure a current register of approved religious and spiritual s 95E(b) visitors is made available to gatehouse and official visits staff.
- 8.1.11 Gatehouse and official visits staff shall ensure a religious and spiritual or s 65 service provider is listed on the approved register, prior to permitting the visitor entry to the prison.
- 8.1.12 The Panel approval will be valid for a period of 12 months from the date of approval. Service providers shall be required to submit another application if they wish to continue to attend the prison.
- 8.1.13 Superintendents shall ensure a current register of approved religious and spiritual s 95E(b) visitors is made available to gatehouse and official visits staff.
- 8.1.14 Gatehouse and official visits staff shall ensure a religious and spiritual or s 65 service provider is listed on the approved register, prior to permitting the visitor entry to the prison.
- 8.1.15 Approved religious/spiritual visitors are still required to seek the Superintendent’s or authorised officer’s permission when wishing to attend the prison, providing details of the intended date, time and prisoner(s) to be visited.
- 8.1.16 Prior to commencing visits, visitors are to be provided with an orientation and security briefing at the prison(s), the briefing shall outline the relevant conditions and procedures that shall apply during their visits.
- 8.1.17 [Adult Custodial Rule 7– Communication – Visits](#) applies to religious/spiritual visitors.

8.1.18 In line with [section 6.5.1](#), visits must occur in the designated areas.

## **8.2 Social Visits**

8.2.1 Where a religious/spiritual representative is approved to attend a prison in an official capacity, they are not permitted to have social visits with any prisoner in that facility without the approval of the designated Superintendent.

## **9. Articles**

9.1 Subject to security considerations, prisoners should be allowed to possess and have access to religious/spiritual articles relevant to the requirement of their religious or spiritual beliefs.

9.2 Superintendents have the discretion not to allow access to or possession of a religious article if it constitutes a risk to the safety and security of the prison or any person.

9.3 Chaplains may maintain religious/spiritual articles (ie those donated from religious/spiritual organisations or consulates), however, all items are to be cleared by the Security Services Branch at the prison prior to being accessed by prisoners.

9.4 Each prison should maintain a supply of prayer books relevant to the religious/spiritual beliefs of their respective prisoner population. Where required, these may be made available in other languages in line with [section 9.6](#).

9.5 Where the item is not already available at the prison, prisoners may make application for religious/spiritual articles at their own expense.

9.6 Where an article contains material in a foreign language, the article must be sourced from an approved supplier or from the respective consulate. JIS will maintain a list of approved suppliers and provide prisons with this information.

9.7 [PD 42 \(Prisoner Property\)](#) applies to religious/spiritual articles approved for storage or possession in prisoner property.

9.8 Subject to the following conditions, religious/spiritual visitors may be permitted to take alcoholic communion wine into a prison for the purpose of facilitating a relevant religious/spiritual service:

- In line with the conditions of entry, all articles, including communion wine must be declared upon entry and exit to the prison.
- Communion wine must not be stored at the prison.
- Any unused wine must be removed from the prison at the end of relevant service.
- The wine must be kept under direct observation of the person conducting the service at all times.
- No more than 500 mls (prior to dilution) wine is to be taken into the prison at any one time.
- The wine must be diluted by equal parts (water to wine) prior to consumption.

### **9.9 Articles – Application process**

9.9.1 Prisoners may make application through the prison Chaplaincy via an Interview Form.

9.9.2 The Coordinating Chaplain shall make a recommendation to the Security Manager

at the prison for consideration.

- 9.9.3 The Security Manager shall determine whether the article is permitted and whether any security conditions should apply.
- 9.9.4 Where applications are not approved, the prison Chaplain shall explain this decision to the prisoner concerned.
- 9.9.5 Approved articles shall be sourced by the Chaplaincy. Articles sourced externally are to be inspected by the prison's Security Services Branch prior to being accessed by prisoners.

## 10. Approved

Commissioner:

Signature: 

Date: 27 February 2013

### Amendment history

Version no and description		Approved	Effective date
1	First published – Procedures separated from the policy and updated	27 February 2013	8 April 2013
2	Amended to include the Non-Contracted Services Panel	4 January 2021	8 March 2021