Policy Directive 30
Death of a Prisoner

Relevant Instruments:

Coroners Act 1996: s17

Prisons Act 1981: s7(2)(b), 36, 58 and 65

Prisons Regulations 1982: r36,74 and 75.

Health Services Procedure PM05 – Death in Custody

Health Services Procedure PM22 – Terminally Ill Patient

Health Services Procedure CG24 – Reporting Requirements for Heath Services Staff

Policy Directive 8 - Prisoners with a Terminal Illness

Policy Directive 10 – Prisoner Mothers/Primary Carers and their Children

Policy Directive 36 – Communications - Appendix 2 - Telephone Procedures

Policy Directive 41 – Reporting of Incidents and Additional Notifications

Policy Directive 42 - Prisoner Property

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1. Purpose

This Policy is to ensure that in the event of the death of a prisoner in custody, all legal, religious, cultural and spiritual requirements are met and that appropriate support and assistance is offered to the deceased’s family, other prisoners and staff working within prisons who are affected by the incident.
This Policy provides the foundation on which standardised practices have been developed for all prisons in the form of the Death of a Prisoner – Procedures to enable sound governance and consistency across facilities.

2. Policy

The death of a prisoner whilst in the custody of the Department of Corrective Services (and privately operated prisons, and contractors providing a service per the Court Security and Custodial Services Act 1999) will be managed in a humane and efficient manner to meet the needs of offenders and their families, and staff working within prisons.

The Deputy Commissioner Adult Custodial shall approve and maintain operational procedures consistent with this policy, to be published as the Death of a Prisoner - Procedures.

3. Scope

This Policy Directive applies to all public and private prisons and is to be applied with reference to all relevant legislation.

4. Related Key Policies and Instruments

- At Risk Management System (ARMS) Manual
- Communications Agreement - The ‘Arrangements for Communications and Dealings between Staff of the Office of the Minister for Corrective Services and Staff of the Department of Corrective Services'
- DCS Critical Incident Response Procedures
- Department of Foreign Affairs and Trade - Detention or Death of a Foreign National in Australia
- Emergency Management Framework
- Policy for Gathering and Preservation of Evidence, Continuity of Exhibits
- Procedures for the Preservation of Evidence, Continuity of Exhibits, Drug Movements and Inventory Control
- Support and Monitoring System (SAMS) Manual

5. Policy Review

This policy is to be reviewed on a biennial basis. Appendices to this policy may be amended by the Deputy Commissioner Adult Custodial as necessary to reflect changes to prison procedures.
6. Approval

Commissioner:

Signature:  

Date: 20 August 2013

7. Policy Sponsor

- Assistant Commissioner Custodial Operations

8. Contact Person

The following person/s may be approached on a routine basis in relation to this policy:

- Principal Operational Policy Officer

9. Amendment history

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