# Assaults - Critical and Non-Critical

Officers are to use this Appendix to enable correct classification and categorisation of incidents. In the event superintendents are unsure as to whether the incident meets the criteria of a Critical Incident, contact should be made with the Duty Operations Contact for guidance.

## Part A – Critical Incidents

<table>
<thead>
<tr>
<th>Critical Incident Type</th>
<th>Remarks</th>
<th>Categorisation to be used in TOMS</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 Assault (Serious)</td>
<td>Serious Assault: Where as the result of an assault, the victim receives physical injuries requiring overnight hospitalisation, overnight care at a prison medical centre/infirmary or ongoing medical treatment. This section applies to a serious assault (as defined above) on any person. <strong>Note</strong>: If the victim’s condition is later determined as requiring overnight hospitalisation after initially being assessed as ‘Non-Critical’ (ie. not requiring overnight hospitalisation/treatment), the incident is to be escalated to Critical and reported in accordance with this Policy Directive immediately the determination has been made.</td>
<td>TOMS Main Event Type: Assault - Physical Incident Type: Critical Category: Assault Type: Serious Assault Against Offender; or Serious Assault Against Staff; or Serious Assault Against Visitor</td>
</tr>
</tbody>
</table>
| 2 Assault             | Assault: Where as a result of an assault, the victim receives physical injuries that may or may not have required medical treatment but did not require overnight hospitalisation, overnight care at a prison medical centre/infirmary or ongoing medical treatment. This section applies to an assault (as defined above) on:  
  - a member of staff, contractor, volunteer or visitor  
  - a prisoner, only in the event that a weapon was used to assault the prisoner. | TOMS Main Event Type: Assault - Physical Incident Type: Critical Category: Assault Type: Assault Against Offender; or Assault Against Staff; or Assault Against Visitor |
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| 3 Assault (Sexual)    | A **Sexual Assault** is any sexual act carried out:  
  - without a person’s consent  
  - where consent is given as a result of intimidation or fraud  
  - where consent is proscribed (ie the person is legally deemed incapable of giving consent because of youth, temporary/permanent (mental) incapacity or there is a familial relationship etc)  
  - where consent could not be given freely and voluntarily (ie due to the victim being intoxicated or unconscious) regardless of whether the sexual assault results in injury or medical treatment. Sexual assaults include where the victim reports that any person in any manner has sexually assaulted him/her or there is clear evidence of such as assault having occurred. |
|                       | TOMS Main Event Type: **Assault - Physical**  
Incident Type: Critical  
Category: **Sexual Assault**  
Type: Serious Assault Against Offender; or Serious Assault Against Staff; or Serious Assault Against Visitor |

Part B – Non-Critical Assaults

<table>
<thead>
<tr>
<th>Non-Critical Incident Type</th>
<th>Remarks</th>
<th>Categorisation to be used in TOMS</th>
</tr>
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</table>
| 4 Assault                 | **Assault**: Where as a result of an assault, the victim receives physical injuries that may or may not have required medical treatment but did not require overnight hospitalisation, overnight care at a prison medical centre/infirmary or ongoing medical treatment.  
This section applies to an assault (as defined above) on a prisoner where no weapon was used. |
|                           | TOMS Main Event Type: **Assault - Physical**  
Incident Type: Non-Critical  
Category: **Assault**  
Type: Assault Against Offender |
| 5 Assault - Other         | **Assault – Other**: Where as a result of an assault, the victim receives no physical injuries and did not require any form of medical treatment.  
This section applies to an Assault Other (as defined above) on a prisoner, member of staff, contractor, volunteer or visitor. |
|                           | TOMS Main Event Type: **Assault - Physical**  
Incident Type: Non-Critical  
Category: **Assault - Other**  
Type: Assault Against Offender; or Assault Against Staff; or Assault Against Visitor |
Categorisation of Assaults – Critical and Non-Critical

In the event of an assault, the following flowcharts can be used to operationalise the above information:

Prisoner Assault

Prisoner assaulted

- No physical injury
  - Incident Type - Non-Critical Category – Assault – Other Type – Assault Against Offender

- Physical injury requiring overnight hospitalisation or overnight treatment at prison medical centre/infirmary or ongoing medical treatment
  - Incident Type - Critical Category – Assault Type – Serious Assault Against Offender

- Physical injury, may/may not require medical treatment but not overnight hospitalisation/infirmary or ongoing medical treatment
  - Weapon used
    - Incident Type - Critical Category – Assault Type – Assault Against Offender
  - No weapon used
    - Incident Type – Non-Critical Category – Assault Type – Assault Against Offender

- Sexual assault, whether prisoner physically injured or not, requiring medical treatment or not
  - Incident Type - Critical Category – Assault Type – Serious Assault Against Offender
Staff, contractor, volunteer or visitor assault

Staff member, contractor, volunteer or visitor is assaulted

- **Incident Type** - Non-Critical
  - **Category** – Assault - Other
  - **Type** – Assault Against Staff/etc

- **Incident Type** - Critical
  - **Category** – Assault
  - **Type** – Serious Assault Against Staff/etc

**Physical injury requiring overnight hospitalisation or ongoing treatment**

- **Incident Type** - Critical
  - **Category** – Assault
  - **Type** – Serious Assault Against Staff/etc

- **Incident Type** - Critical
  - **Category** – Assault
  - **Type** – Assault Against Staff/etc

**Sexual assault, whether person physically injured or not, requiring medical treatment or not**

- **Incident Type** - Critical
  - **Category** – Assault
  - **Type** – Assault Against Staff/etc

- **Incident Type** - Critical
  - **Category** – Assault
  - **Type** – Serious Assault Against Staff/etc

**No physical injury**

- **Incident Type** - Non-Critical
  - **Category** – Assault - Other
  - **Type** – Assault Against Staff/etc

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**Note** – Where a Critical Incident is identified in accordance with the above flowcharts (RED), Critical Incident Notifications must occur in accordance with Section 8 of Policy Directive 41, and additional actions (including debriefs) are to occur in accordance with Sections 9 and 10.

**Note** - Officers are to use this Appendix to enable correct classification and categorisation of incidents. In the event superintendents are unsure as to whether the incident meets the criteria of a Critical Incident, contact should be made with the Duty Operations Contact for guidance.
Approval

Commissioner or delegated authority as per PD 41:

Signature:  
Date: 14 January 2014

Policy sponsor
Assistant Commissioner Adult Custodial

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

Superintendent Administration - Adult Custodial  
Duty Operations Contact (for reporting of incidents after hours) – Telephone 0419 942 654

Amendment history

<table>
<thead>
<tr>
<th>Version</th>
<th>Approved</th>
<th>Effective from</th>
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<tbody>
<tr>
<td>1. First published</td>
<td>June 2003</td>
<td>18 June 2003</td>
</tr>
<tr>
<td>2. Amended</td>
<td>30 March 2009</td>
<td>1 April 2009</td>
</tr>
<tr>
<td>3. Amended</td>
<td>4 October 2010</td>
<td>11 October 2010</td>
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<tr>
<td>4. Amended</td>
<td>31 December 2010</td>
<td>7 February 2011</td>
</tr>
<tr>
<td>5. Amended – Title and number changed from Appendix 1 Categorisation of Incidents on TOMS, Document split into 1A and 1B</td>
<td>14 January 2014</td>
<td>29 January 2014</td>
</tr>
<tr>
<td>6. Administrative amendment to Part B section 4</td>
<td>18 June 2014</td>
<td>18 June 2014</td>
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