



Policy Directive 42

Prisoner Property

- Relevant instruments:**
- [Prisons Act 1981](#)
 - [Prisons Regulations 1982](#)
 - [Adult Custodial Rule 3 - Privileges](#)
 - [Adult Custodial Rule 5 - Requests, Complaints and Grievances by Prisoners](#)
 - [Adult Custodial Rule 11 - Permitted and Prohibited Material](#)
 - [Policy Directive 7 - Religious and Spiritual Activities](#)
 - [Policy Directive 30 - Death of a Prisoner](#)
 - [Policy Directive 35 - Custodial Business Processes \(TOMS\)](#)
 - [Policy Directive 36 - Communications](#)
 - [Policy Directive 69 – Management of Prisoner’s Money](#)
 - [Policy Directive 82 – Prisoner Movements](#)

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1. Purpose

- 1.1 The purpose of this Policy Directive is to set out the general requirements relating to the management and control of prisoner property.
- 1.2 Subject to the limitations contained within the [Prisons Act 1981](#), [Prisons Regulations 1982](#), this policy directive, associated procedural documents and relevant appendices, superintendents may do anything necessary or convenient to give effect to the intent of this directive, associated procedural documents and relevant appendices.

2. Policy

- 2.1 The Designated Superintendent may allow a prisoner to have certain personal effects during his/her imprisonment. These personal effects may be kept in a prisoner's possession (on their person or in their cell) or may be stored by the Designated Superintendent on their behalf.
- 2.2 Permitting prisoners to retain private property assists to reduce the negative impact of imprisonment by allowing them to keep a sense of personal identity and thus promoting individual well-being.
- 2.3 The Department of Corrective Services (DCS) has a responsibility to ensure that an accurate record is kept of this property and that it is stored, transferred and controlled in an effective manner.
- 2.4 The Designated Superintendent is responsible for ensuring that systems, including quality control, are in place in their respective prisons to give effect to this Policy Directive and associated procedural documents and appendices.
- 2.5 The Designated Superintendent is responsible for the safe storage of prisoner property not kept in cells.
- 2.6 Prisoners are responsible for the safekeeping of the property they retain in their possession subject to r 42(2) of the [Prisons Regulations 1982](#).
- 2.7 Prisoners will not be permitted to retain property in their possession or stored on their behalf that is considered to be a threat to the good order and security of the prison.

3. Scope

This policy applies to the following:

- all staff and contracted service providers working within public prisons
- all staff and contracted service providers working in privately operated prisons
- all staff working in the DCS' privately operated custodial service contracts, eg Court Security and Custodial Services (CS&CS) where appropriate.

4. Other relevant instruments

[Cross-border Justice Act 2008](#)

[International Transfer of Prisoners Act 1997](#) (Cth)

[Prisoners \(Interstate Transfer\) Act 1983](#)

[Standard Guidelines for Corrections in Australia 2012](#)

[Transfer of Prisoners Act 1983](#) (Cth)

5. Policy review

This policy and associated procedures or appendices are to be reviewed on a biennial basis. Procedural documents and appendices to this Policy may be amended as necessary by the Deputy Commissioner Adult Custodial to reflect changes to prison procedures.

6. Approval

Commissioner:

Signature: 

Date: 6 December 2013

7. Policy sponsor

Assistant Commissioner Custodial Operations

8. Contact person

Principal Operational Policy Officer

9. Version history

Version number and description		Approved	Effective from
1.	Amended ¹		April/May 2003 ²
2.	Amended		March 2006
3.	Amended		9 June 2009
4.	Amended		25 October 2010
5.	ACCO Notice 3/2013 added to relevant instruments		22 March 2013
6.	Amended - policy and procedures separated	6 December 2013	19 December 2013

¹ PD in place before this version. No records available

² Approximately