

Custodial Operations Policy and Procedures

11.3 Aboriginal Inmate Committees

Policy summary

In accordance with a recommendation of the Royal Commission into Aboriginal Deaths in Custody, an Aboriginal Inmate Committee (AIC) is to be established and remain active at every correctional centre, unless an exemption is granted by the Assistant Commissioner, Custodial Corrections.

The AIC is a representative body of Aboriginal inmates and an integral part of correctional centre management. An Aboriginal Inmate Delegate (AID) will be appointed as the secretary of the AIC. The AIC is a Corrective Services NSW (CSNSW) initiative that affirms its commitment to support Aboriginal inmates to desist from reoffending, and acknowledges their family contact and cultural needs.

The AIC does not address individual inmates' personal issues. Aboriginal inmates in need of assistance can seek the help of the Aboriginal Inmate Delegate.

Management of Public Correctional Centres Service Specifications

<i>Outcome</i>	Decency and Respect
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Scope

This policy applies to all correctional centres, and affects all custodial and authorised staff who work in these centres and complexes.

Related Documents

Crimes (Administration of Sentences) Act 1999

Crimes (Administration of Sentences) Regulation 2014

Management of Public Correctional Centre Outcome Specifications

Royal Commission into Aboriginal Deaths in Custody

Related Custodial Operations Policy and Procedures

9.8 Inmate Development Committees

Forms and Annexures

Criminal Record Inquiry - Offenders (S&I)

Request for Offender Information (SSA)

Definitions

AIC	Aboriginal Inmate Committee
AID	Aboriginal Inmate Delegate
ASPU	Aboriginal Strategy and Policy unit
CIG	Corrections Intelligence Group
COPP	Custodial Operations Policy and Procedures
CSNSW	Corrective Services NSW
EDRMS	Electronic Document & Records Management System
IDC	Inmate Development Committee
OIMS	Offender Integrated Management System
RAPO	Regional Aboriginal Programs Officer

Table of Contents

1	Policy	4
1.1	Establishing the Aboriginal Inmate Committee	4
1.2	Appointing an AIC and AIC members	4
1.3	Role of the Governor	5
1.4	Role of the Regional Aboriginal Programs Officer	5
1.5	Role of the Aboriginal Inmate Committee and its members	6
1.6	Role of the Aboriginal Inmate Delegate	6
2	Procedures	6
2.1	Procedures for appointment of AIC members and an AID	7
2.2	Procedures for AIC Meetings	7
3	Document history	9

1 Policy

1.1 Establishing the Aboriginal Inmate Committee

The Regional Aboriginal Programs Officer (RAPO), with the support and advice of the Governor of a correctional centre, is responsible for ensuring Aboriginal inmates are able to make representations about their cultural needs through the establishment of an Aboriginal Inmate Committee (AIC). The RAPO will also appoint an Aboriginal Inmate Delegate (AID) as secretary of the AIC.

In correctional centres where there is only a small number of Aboriginal inmates, the Governor may seek written approval from the Assistant Commissioner, Custodial Corrections not to establish an AIC. If approved an AID must be appointed, and be a member of the Inmate Development Committee (IDC) (*refer to COPP section 9.8 Inmate Development Committees*).

Terms of reference should be established for the AIC. These, and the activities and meetings of the committee, should be publicised within the centre. The RAPO will advise centre management and inmates of the committee, its purpose and objectives.

The AIC should meet every quarter with the RAPO and Governor or delegated officer. Other staff representatives should also make themselves available to attend these meetings if required. If a scheduled meeting doesn't take place due to exceptional circumstances, priority should be given to convening the meeting as soon as practicable afterwards.

Prior to the meeting AIC members should meet to decide on an agenda. The AIC's proposed agenda and submissions are to be presented to the Governor and RAPO.

If the Governor or delegated officer rejects an inmate request presented at the meeting, reasons should be included in the minutes. Wherever possible, the RAPO, Governor or delegated officer should provide written responses to requests in a timely manner. Subject to practical constraints, the RAPO, Governor or delegate should provide responses to agenda items at the AIC meeting. Where it is not possible to provide such responses at the meeting, these should be provided within seven days if the matter is able to be addressed on a local level.

1.2 Appointing an AIC and AIC members

The RAPO, in consultation and with the support, advice and approval of the Governor, is responsible for appointing a nominated Aboriginal inmate as the AID and organising the AIC. Before appointing an inmate as an AID, the RAPO must review their records for suitability. Information should be gathered from each of the following sources:

- Warrant file
- Case Management file
- criminal history
- behavioural and disciplinary history
- the centre's intelligence officer
- Criminal Record Enquiry - Offenders (CRI) from Corrections Intelligence Group (CIG)

The AIC will include sufficient committee members to represent the Aboriginal inmates in the centre. The AID will be a committee member of both the AIC and IDC. An inmate appointed as AID or to the AIC will retain that appointment while at the centre for a period of 12 months from the date of their appointment and should remain at their centre of classification where possible.

The AID's position is seven days per week with the hours and duties performed determined by the Governor. Funding for these positions is drawn from existing inmate wages cost centres. AIC members who attend formal meetings during work time will be regarded as at work.

The Governor may remove an inmate appointed as AID or AIC member.

1.3 Role of the Governor

In correctional centres where there is a significant Aboriginal inmate population the Governor will:

- ensure any person (staff or inmate) may formally object to the nomination of any inmate for AID by submitting a written objection
- ensure any objections to a nomination are considered and resolved
- approve nominees for AID or AIC members as suitable for appointment.
- ensure inmates appointed as AID or to the AIC maintain appropriate standards of behaviour, are able to carry out their duties as per policy, and are not impeded in carrying out their responsibilities
- ensure the RAPO is able to coordinate and support the AID and AIC
- ensure the AID is able to visit and support all Aboriginal inmates in the centre
- authorise quarterly meetings of the AIC
- ensure additional allowances be made for non-scheduled meetings to be held at the request of management or the AIC/AID, as and when necessary
- when an AIC meeting is postponed, authorise and ensure the meeting is held as soon as practicable
- provide sufficient resources to enable the AIC to carry out its responsibilities
- where appropriate ensure local management and other staff representatives are able to attend AIC meetings to assist with addressing agenda items
- ensure agenda items are resolved as soon as practicable
- maintain a schedule of issues raised by the AIC showing response times and resolution or mitigation strategies.

1.4 Role of the Regional Aboriginal Programs Officer

The RAPO will:

- ensure any Aboriginal inmate may be nominated for appointment as AID or as a member of the AIC
- ensure nominations for appointment as AID and to the AIC are made known to all Aboriginal inmates
- check records of AID and AIC nominees for suitability and consult with Governor
- appoint an AID and AIC proportional to the number of Aboriginal inmates at the centre
- coordinate and attend all meetings of the AIC

- schedule and ensure the AIC meetings are held every quarter, or when a meeting is requested by the AIC or the AID. Where possible meetings should be scheduled for the upcoming 12 months
- assist the Governor to supervise the AIC
- coordinate the AIC and liaise with local management to facilitate cultural events
- advocate on behalf of Aboriginal inmates and monitor outcomes of the AIC meetings
- maintain all documentation relating to the AIC in Electronic Document & Records Management System (EDRMS)
- ensure all inmates in attendance and any relevant information is recorded on the Offender Integrated Management System (OIMS)
- publish and forward a copy of all minutes from each AIC meeting to the Governor and ASPU as soon as practicable
- provide the Official Visitor with access to the records of the AIC (AIC agenda, previous AIC meeting working papers and previous AIC meeting minutes)

1.5 Role of the Aboriginal Inmate Committee and its members

Aboriginal Inmate Committee members will:

- maintain high standards of personal conduct
- take an interest in issues affecting Aboriginal inmates in their area and centre
- support Aboriginal inmates at the centre
- assist local management to communicate with Aboriginal inmates
- seek agenda items from Aboriginal inmates and, if necessary, hold informal meetings to compile a formal meeting agenda
- publish an agenda to the Governor and RAPO before any AIC meeting
- hold formal meetings, record minutes and keep records of all AIC meetings

1.6 Role of the Aboriginal Inmate Delegate

Aboriginal Inmate Delegates will:

- maintain appropriate records such as submissions, agendas, and minutes of meetings
- cooperate with local management to support and address the needs of Aboriginal inmates received at the centre
- direct individual inmate's concerns to the appropriate channels
- assist Aboriginal staff to support Aboriginal inmates
- support and advise CSNSW staff preparing or delivering programs to Aboriginal inmates.
- where appropriate advocate on behalf of Aboriginal inmates
- represent Aboriginal inmates and bring to the attention of correctional centre management at IDC meetings any issues affecting accommodation, employment, education, recreation, family contact and inmate development programs
- provide feedback to inmates on matters raised at committee meetings
- provide pertinent and relevant information on specific matters as might be requested from time to time by the Governor

2 Procedures

2.1 Procedures for appointment of AIC members and an AID

The following procedures will be implemented for the appointment of AIC members and the AID.

	Procedure	Responsibility
1.	Arrange for Aboriginal inmates to nominate AIC members and an AID	RAPO
3.	Any staff member or inmate may object to the nomination of an inmate for the AIC or AID in writing, which must be lodged with the Governor or delegated officer, who will ensure objections are considered and resolved prior to appointment of inmates	Governor or delegated officer
2.	Prior to an inmate delegate being appointed, the following checks must be conducted: • Warrant File • Case Management File • criminal history • behavioural and disciplinary history • advice sought from the centre's intelligence officer • CRI check from CIG	RAPO
4.	Appoint inmates to the AIC and as an AID	RAPO
5.	Following appointment, liaise with the AIC and AID to enhance the communication process	RAPO/Governor or delegated officer
6.	Immediately report to the Governor or delegated officer if an AIC member or the AID has breached discipline, or it is believed they may pose a threat to the good order and security of the centre	Staff

2.2 Procedures for AIC Meetings

The following procedures should be implemented for scheduling AIC meetings:

	Procedure	Responsibility
1.	The AIC members are to meet to finalise a proposed agenda	AIC
2.	The Governor or delegated officer and RAPO will be provided with a copy of the agenda items prior to the formal meeting	AID
3.	Any matters that can be addressed prior to the meeting should be attended too	Governor or delegated officer and RAPO
4.	Responses to agenda items will be provided during the AIC meeting. Written responses should be provided in a	Governor or delegated officer and RAPO

	timely manner for matters that are unable to be addressed during the meeting.	
5.	The reasons for any rejection of a request presented at the formal meeting, is to be included in the minutes	AID
6.	Appropriate records will be maintained, such as submissions, agendas, and minutes of all meetings	AID and RAPO
7.	Copies of the minutes should be forwarded to the Governor or delegated officer, ASPU and the Official Visitor	RAPO
8.	The Chairperson and the Governor or authorised officer will endorse the relevant minutes	Chairperson/Governor/ Authorised officer
9.	All Aboriginal inmates may be provided with a copy of the minutes upon request to the RAPO	RAPO

3 Document history

Version	Date	Reason for Amendment
1.0		Initial publication (<i>replaces section 7.19 of the superseded Operations Procedures Manual</i>)