



Government of **Western Australia**
Department of **Justice**
Corrective Services

Response to Review:

Routine Restraint of People in Custody in Western Australia

February 2020

The Department of Justice welcomes the review into the Routine Restraint of People in Custody in Western Australia.

The Department has reviewed the report and noted a level of acceptance against the three recommendations.

Appendix A contains comments for your attention and consideration.

Response to Recommendations

1 Improve record keeping practices to ensure accurate, transparent records are kept about all use of restraint.

Level of Acceptance:	Supported
Responsible Division:	Corrective Services
Responsible Business Area:	Operational Support
Proposed Completion Date:	31 December 2020

Response:

The Department agrees with the Inspector's comments that good records support good decision-making, effective business practice, and improve accountability and efficiency.

To streamline the use of restraints and record-keeping practices, Corrective Services has reviewed the use of restraints policy as part of the Custodial Operational Policies and Procedures Project. The revised restraints policy includes improved processes around the use of restraints and reporting protocols.

Implementation of the COPP will ensure the new restraints processes and record-keeping practices are thoroughly embedded in operational practice and procedures.

2 Change practice to ensure routine restraint is more closely aligned with individual risk, with particular consideration given to:

- People who are not conscious.
- People who are terminally ill.
- The elderly or frail.
- People with significant mobility issues.

Level of Acceptance:	Supported in Principle
Responsible Division:	Corrective Services
Responsible Business Area:	Operational Support
Proposed Completion Date:	31 December 2020

Response:

The Department acknowledges that restraints should only be used in circumstances outlined within legislation and appropriate assessments and decisions are required to ensure the restraints applied are proportionate to the risk posed.

Corrective Services has reviewed the prisoner movements and restraints policy as part of the Custodial Operational Policies and Procedures Project. The new policy requires custodial staff to undertake an individual assessment of the risks posed by prisoners, including advice received from medical staff, to ensure the restraints are proportionate to the assessed risks.

These prisoners include:

- Prisoners with a medical condition decreasing their likelihood of escape (e.g. unconscious, terminally ill).
- Prisoners that are elderly or frail.
- People with significant mobility issues.
- Pregnant prisoners.

3 Do not routinely restrain any pregnant prisoner unless there is a documented specific risk which cannot be managed by other means.

Level of Acceptance:	Supported in Principle
Responsible Division:	Corrective Services
Responsible Business Area:	Operational Support
Proposed Completion Date:	31 December 2020

Response:

As per recommendation 2, restraints will only be used in circumstances outlined within legislation and in accordance with appropriate risk assessments and decisions, including advice received from medical staff.

A new COPP is being specifically developed to direct the restraining of pregnant prisoners, who will have restraints applied proportionate to the risk posed.