

*Corrections Victoria recognises there are significant challenges in responding to the distinctive needs of young offenders. We are committed to working with young offenders to create positive behaviour change, and would welcome the opportunity to engage with Jesuit Social Services to provide them with a more detailed understanding of Victoria's prison system and the use of restricted regimes.*

### **How many prisoners are in solitary confinement?**

Corrections Victoria under some circumstances will utilise management and restricted regimes. The number varies on a daily basis. However, fewer than two per cent of male prisoners and less than one per cent of female prisoners are in long-term management placements in Victoria (over 30 days).

### **Why are prisoners placed in solitary process?**

The safety of the individual prisoner is always the primary concern when considering their placement, together with the safety of other prisoners and the safety of prison staff.

Correctional staff make assessment and placement decisions daily, balancing the complex risks and needs of prisoners and the safety and security of the system.

Restricted regimes are only used in circumstances where it is not considered safe for the individual to be placed in mainstream accommodation, or where there are security risks that cannot be mitigated. Placing prisoners in management or high-security units is restrictive – but it is used as a last resort to ensure the safety and security of prisoners, staff, the prison and the community. For example, prisoners who are violent towards others may be confined in management cells.

Other considerations that are taken into account when assessing where to place an individual, include:

- Their compatibility with other prisoners in the system.
- The risk the prisoner poses to others within the system
- Their vulnerability within the system
- Short-term placement in a management unit (i.e. for less than 30 days) can also be used for prisoners who are serving loss of privileges for poor behaviour in prison (for example, assaulting a staff member)

The safe placement of prisoners – some of whom are violent, display very difficult behaviour and have complex needs – is an ongoing challenge for correctional authorities. These are not straightforward decisions and require thoughtful consideration and good judgement.

### **Who makes the decision to place a prisoner in solitary confinement? And for how long?**

There is a high level of oversight in placing prisoners in restrictive separation regimes.

Short-term placements in management or high security units must be approved by a prison Supervisor or Operations Manager, while placements over 30 days must be approved by the Assistant Commissioner, Sentence Management Division. Corrections Victoria refers significant, high-risk cases to a High Risk Management Advisory Panel whose membership includes an independent retired Supreme Court Judge and an Assistant Commissioner from Victoria Police. The members provide advice to the Corrections Victoria Commissioner.

Those in long-term management or high security are reviewed by Corrections Victoria's Sentence Management Division on at least a monthly basis.

### **How long can a prisoner stay in solitary confinement? What is the max amount of time?**

Prisoners cannot remain in management or high security units longer than 30 days without the approval of the Assistant Commissioner, Sentence Management Division. A long term placement report must be completed in such circumstances detailing why the placement is necessary.

### **What (mental and physical) health oversight/monitoring is there of prisoners in solitary confinement?**

Prison managers have obligations under the Corrections Act 1986, Corrections Regulations 2009, and the Charter of Human Rights and Responsibilities Act 2006 with regard to the humane treatment of prisoners.

All separated prisoners will have contact throughout the day with prison staff and others such as

health professionals, lawyers, and chaplains. They can also make phone calls and in most cases receive visits.

Corrections Victoria has made significant efforts in recent years to improve infrastructure of management units, including building more exercise yards to allow greater time out of cell, and inter-cell communication technology.

Any prisoner considered to be at immediate risk of suicide or self-harm must be seen by an appropriate health professional within two hours and their placement is subject to the advice of the health professional and decisions of a Risk Review Team. Where a prisoner is separated after being assessed as being at high risk due to psychiatric or medical reasons, the prisoner is then placed into an observation cell (a safe cell), which require regular and documented checks of the prisoner by a nurse/psychiatric nurse or Corrections Victoria staff member. The prisoner will undergo further assessment before being released from separation, generally via a graduated step down process (whilst under review of a medical team).