



Commonwealth
National
Preventive
Mechanism



ACT National
Preventive Mechanism

Guidance Material: ACT Watch House and Police Stations

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Acknowledgment of Country

We acknowledge the Traditional Custodians of the ACT and recognise any people or families with connection to the lands of the ACT and region. We acknowledge and respect their continuing culture and the contribution they make to the life of this city and this region.



Introduction

This document provides guidance to visiting teams on what to consider when attending ACT Policing facilities. It is organised into 6 categories:

- Material Conditions
- Procedural Safeguards
- Healthcare
- Safety, Order, Discipline and Restrictive Practices,
- Transportation, and
- Leadership and Staffing.

Under each category heading is a **blue bounding box** with a list of expectations that visitors can use as benchmarks.

Under the list of expectations are **sub-categories** that visitors can use to help them identify what to turn their minds to when forming views during visits. Each sub-category is accompanied by a list of indicators that can be used to evaluate whether expectations are being met.

Relevant Standards are given in a blue bounding box at the end of each category. These standards underpin the expectations, sub-categories and indicators.

The list of expectations and indicators are not designed to be a compliance tick-box exercise. Visitors should not exclude additional or other ways of achieving the expected outcome for the persons deprived of their liberty.

Continuous Development

This is an evolving document and will be updated in response to feedback as well as changes in local, national and international best practice.



Reference Documents

The development of this guidance has benefited from the work of other oversight bodies.

Relevant materials consulted in the development of this document included:

- **ACT Inspector of Custodial Services:** [*ACT Inspection Standards for Adult Correctional Services*](#) (December 2024)
- **Tasmanian NPM:** [*Expectations on the treatment of people deprived of their liberty in police and court custody*](#) (June 2024)
- **His Majesty's Inspectorate of Prisons and His Majesty's Inspectorate of Constabulary and Fire and Rescue Services:** [*Expectations for police custody Criteria for assessing the treatment of and conditions for detainees in police custody*](#) (2021)



Material Conditions

Expectations:

- The physical environment is safe, of an appropriate standard, and well maintained.
- The security, dignity, and privacy for people deprived of liberty are provided for and promoted.
- People deprived of liberty are provided with food and drink.
- The welfare and care needs of people deprived of liberty are being met.

Layout

Indicators

- The Custodial facility design and layout are suitably functional and are fit for use by people across the range of people who may be deprived of liberty.
- The Custodial facility design should include facilities for staff which reflect respect for them and for the tasks they perform.
- The Custodial facility is built and maintained to recognised building standards with a 'healthy buildings' approach to climate control, amenity, lighting and outlook.
- The Custodial facility is compliant with all relevant environmental health regulations.
- The Custodial facility is equipped with fire alarm and suppression systems that are tested regularly.
- The Custodial facility design reflects Australian Standards for people with disability. Where required, necessary and appropriate modifications and adjustments are made to the built environment and regime.
- Custodial Facilities are secure, so that people deprived of liberty cannot escape.



Monitoring (CCTV)

Indicators

- CCTV provides coverage to protect people deprived of liberty, staff and visitors while respecting privacy and dignity. Good quality audio recording operates in charging, and other processing areas, and people are made aware of the audio recording.
- The CCTV system is maintained and regularly checked to ensure it is operational. Footage is stored in accordance with relevant legal and policy requirements. Access to footage is appropriately authorised and recorded.
- People deprived of liberty are made aware that CCTV operates in the Custodial facility, including in cells. They are told where cameras are in cells and how their privacy is maintained.

Accommodation Cells

Indicators

- Cell size and design are appropriate for the number of occupants.
- The condition of cells is checked daily, and more frequently where necessary and appropriate. These checks are recorded.
- Cells are free of ligature points.
- People deprived of liberty required to sleep in a cell overnight occupy separate, individual, cells. If this cannot be managed, such as due to temporary overcrowding, the occupants of each cell should be managed by whether it is suitable for them to associate with one another, and additional supervision is to be scheduled and recorded to minimise risk of harm.
- There is a system that allows people deprived of liberty to communicate with Custody Officers and staff from their cell. The system is checked regularly to ensure it is operational. Custody Officers demonstrate how to use the system to people deprived of liberty.



- Custody Officers and staff respond promptly to calls for assistance from people deprived of liberty.

Mattress and Bedding

Indicators

- Where a person deprived of liberty is required to sleep overnight in a cell, their bedding includes a clean mattress, pillow, and blanket. Additional pillows and blankets are available on request.
- People deprived of liberty do not sleep on the floor.

Clothing

Indicators

- Replacement clothing (including underwear) is provided where a person deprived of liberty's clothing is soiled, otherwise unsuitable, or removed for forensic examination or other purposes.
- Replacement clothing (including underwear) is not undignified or humiliating. It fits properly and is in good repair.
- Culturally appropriate and religious items of clothing are available to people deprived of liberty, where assessed risk permits.
- People deprived of liberty can appear in court in appropriate attire.
- There is a process to allow family and friends to deliver alternate or replacement clothing.

Personal Property

Indicators

- There is an accurate record of personal items, including money, taken from the possession of people deprived of liberty on admission to custody. Property is itemised in an area subject to CCTV monitoring, and in the presence of the person deprived of liberty unless not possible in the circumstances.



- The property of people deprived of liberty is individually secured in a room subject to CCTV monitoring.
- The property of people deprived of liberty is returned at the time of release.
- There is a process for managing complaints associated with returned property.

Food and Drink

Indicators

- Unless detained for short periods, people deprived of liberty are provided with nutritious food and drink at normal mealtimes.
- Food meets the dietary, medical and religious needs of a person deprived of liberty. Clean drinking water is always available.
- All areas where food is stored, prepared, and served and related policies/processes are designed to meet Food Standards Australia and New Zealand guidelines.

Lighting and Ventilation

Indicators

- Cells and shared areas are clean, well ventilated, naturally lit, and of a suitable temperature.
- Cells and shared areas are within the indoor temperature range recommended by the Australian Government or World Health Organisation for healthy living.

Clinical Rooms

Indicators

- Clinical rooms within the custody suite meet infection control compliance standards and are fit for purpose. Clinical rooms are suitable for taking forensic samples that are free of contamination.



- The facilities enable private clinical consultations to take place and are furnished to preserve the dignity of patients during clinical examination.

Sanitary Facilities and Privacy

Indicators

- There are facilities available for people deprived of liberty to wash their face, hands and shower, and that they can use these facilities with respect for privacy.
- People deprived of liberty must have access to a basin, toilet and toilet paper that can be used with respect for privacy.
- Menstrual care products are routinely provided to people deprived of liberty who menstruate, without them having to ask. These are suitable for the individual's needs, and they are able to use them with sufficient privacy.

Outdoor Exercise Areas

Indicators

- People deprived of liberty are offered and provided with outside exercise to allow them access to fresh air, in an appropriate area.

Padded Cells

Indicators

- Padded Cells are physically safe, free from ligature points, and made of non-flammable, non-tear materials.

Interview Rooms

Indicators



- An appropriate room, which is not intimidating, is used for conducting interviews.
- Interview rooms are equipped with technology to enable high quality, complete audiovisual recordings of interviews.
- Interview rooms are clear of objects that could be used as a weapon.
- Duress alarms are installed in interview rooms.

Maintenance and Hygiene

Indicators

- Cells are deep cleaned on a regular basis.
- Biological hazards are responded to in a timely and effective manner.
- There are established safety protocols to reduce risks in the event of biological hazard until it is resolved.
- Staff carry out daily checks of the Custodial facility and keep accurate up-to-date records that are subject to routine monitoring. Any defects are repaired promptly.
- Smoking is prohibited in custody facilities.

Relevant Standards

- [Human Rights Act 2004](#) 19, 20
- [Crimes Act 1900](#) 229
- [Code of Conduct for Law Enforcement Officials](#) 1, 2, 5, 6, 7
- [Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment](#)
- [International Covenant on Civil and Political Rights](#) 7, 9, 10, 11
- [Convention on the Rights of the Child](#) 37
- [Convention on the Rights of Persons with Disabilities](#) 3, 4, 5, 9



Procedural Safeguards

Expectations:

- Custody is authorised, and the reason/s understood.
- The rights of people deprived of liberty in custody are explained and understood.
- The personal property of people deprived of liberty is securely stored and returned on release.
- People deprived of liberty are safely and effectively transferred between ACT Policing and ACT Corrective Services (ACTCS) or Health and Community Services (HCSD).
- Risks that a person deprived of liberty pose to themselves, and others are assessed, managed, and reviewed.
- People deprived of liberty are held in custody no longer than necessary.
- Children are held for the minimum time possible.
- Vulnerable groups of people deprived of liberty are protected by additional safeguards.
- The need for a person deprived of liberty to remain in custody is reviewed.
- People deprived of liberty know how to make complaints and can do so while in custody or immediately upon release.
- People deprived of liberty can access a telephone with privacy.
- People deprived of liberty, particularly children and vulnerable adults, can have visits from family and/or support services.
- Foreign nationals can communicate with their consulate, embassy, or high commission.
- People deprived of liberty from all backgrounds and with diverse needs are respected and treated with dignity.
- Staff recognise, and meet, the individual and diverse needs of people deprived of liberty.
- Aboriginal and Torres Strait Islander people deprived of liberty are afforded their cultural rights and protected from harm.
- People deprived of liberty with disability are protected from harm and neglect.
- People deprived of liberty with disability are safe and enjoy full access and participation in custody services.



Rights and Entitlements

Indicators

- Custody officers and staff interact and engage with people deprived of liberty courteously and all people deprived of liberty are treated respectfully and with dignity during their detention.
- Custody officers and staff recognise the stress that people deprived of liberty may be feeling and take account of this when communicating and dealing with them.
- Custody Officers explain to a person deprived of liberty the grounds and reason/s they are being held in custody. If police bail is refused the reasons are recorded and explained to the person deprived of liberty.
- The rights and entitlements of people deprived of liberty are clearly explained by Custody Officers in an area of the Custodial facility that is subject to audio recording. Custody Officers satisfy themselves by proactive inquiry that these rights and entitlements are understood by the person deprived of liberty.
- Translation and interpreting services are readily available and used to help people deprived of liberty with limited English understand their rights and custody processes.
- There is provision for people deprived of liberty to access information, including their legal rights and entitlements, in a language and format they can easily understand, for example, easy read format.
- Rights or entitlements that a person deprived of liberty wishes to exercise are acted upon promptly.
- If a Custody Officer refuses or delays any right or entitlement to a person deprived of liberty, the reason is explained and recorded. There is a process for reviewing refusals and delays and, if no longer valid, the right or entitlement is provided without undue delay.



- People deprived of liberty are informed about the ACT Policing retention and disposal policy for DNA, biometric samples, fingerprints and custody images.
- Except for short periods of detention, there are activities (including access to outdoor exercise) offered. Available activities should be mindful of the varying ages, and literacy and language requirements of a person deprived of liberty.
- Age-appropriate activities are available for children who spend prolonged periods in custody.
- There is a range of religious observance materials readily available to allow people deprived of liberty to observe their faith while in custody.

Interview Safeguards

Indicators

- People deprived of liberty are not interviewed while impaired by alcohol, drugs, or other substances, or if medically unfit, unless in exceptional circumstances. If interviewed under exceptional circumstances, full details must be recorded.
- Police Officers only use rapport-based, non-coercive interviewing techniques that are supported by science, law and ethics. Police Officers are not driven by the objective of securing a confession, but rather by an objective to obtain accurate information.
- Information regarding the rights of a person deprived of liberty, and how to exercise them, should be conveyed verbally, in clear, non-technical, and precise language.
- Professional and independent interpreters should be provided for all people deprived of liberty who do not speak or understand the language used by the authorities, including persons with sensory disabilities such as visual, auditory, and other impairments.
- All people deprived of liberty being interviewed have a right to a lawyer, including through legal aid, before any questioning by



authorities. Interviewees can waive their right to a lawyer. If, or when, an interviewee decides to waive their right to a lawyer, the waiver must be free, voluntary and properly recorded, and it should be signed by the person deprived of liberty.

- Police Officers need to be aware of the possible effects of the power imbalance and take steps to mitigate them, to ensure the protection of all interviewees under the law while also maximising the value of the information gathered.
- Police Officers facilitate/arrange for additional support people, including for children and people with disabilities, to attend the interview. The support people may be family or friends, or professionals/people placed on a register.

Custody Notification Services

Indicators

- People deprived of liberty can contact a family member or friend, at the earliest opportunity after being detained.
- The parent(s) or responsible adult(s) of a detained child are informed of the grounds of detention at the earliest opportunity.
- There is a record of the custody of the person deprived of liberty that can be supplied to them or their authorised representative. This includes circumstances where the person deprived of liberty is unconditionally released or discharged from custody.
- There is a process to engage the Aboriginal Legal Service (ALS) at the earliest opportunity following the arrest of a person who identifies as Aboriginal or Torres Strait Islander, or both.
- Where the ALS is engaged, the person's details and reasons for custody are provided to the ALS. The person deprived of liberty can speak directly to the legal service in private. If the person deprived of liberty does not wish for their details to be supplied to the service, the Custody Officer provides de-identified information only.



Access and Contact with a Lawyer

Indicators

- People deprived of liberty have prompt access to a lawyer at the earliest opportunity after being arrested. Where applicable, they are assisted to contact the legal representative of their choice.
- Legal representatives, including Legal Aid, adequately inform people deprived of liberty of their rights, of the legal process itself, and of the consequences of their decisions.
- Legal professionals can visit people deprived of liberty in police custody.

Complaints Processes

Indicators

- People deprived of liberty are advised that they can complain and are provided with information about the complaints process in a format they can understand. There are notices and posters prominently displayed outlining the complaint process. People deprived of liberty are asked whether they want to complain prior to leaving custody or on transfer.
- Custody Officers contact a parent, guardian, or responsible adult to support a child who wishes to complain. The child is assisted in the complaint process including gathering relevant material.
- There is a system for recording and managing complaints. Complaints are recorded in a confidential manner.
- The complaints process is promoted and there is no discrimination or repercussions for people deprived of liberty who complain.
- Complaints are taken prior to, or immediately upon, release from custody unless not appropriate in the circumstances or the person deprived of liberty requests the complaint be taken at another time.
- There is a process to follow up complaints if a person deprived of liberty requests to make their complaint at another time.



- People deprived of liberty are informed of the outcome of their complaint and what alternative mechanisms are available if dissatisfied.
- Complaints made by people in custody, their representatives or staff are recorded and analysed to improve custodial policies and procedures.
- Recommendations arising from these reviews are used to improve custodial arrangements.

Access to and Contact with External Scrutiny Bodies

Indicators

- People deprived of liberty are informed about external scrutiny bodies and how to access them, including their right to communicate freely and confidentially with external scrutiny bodies.
- Information about external scrutiny bodies is prominently displayed around the Custodial facility and in a language and format they can easily understand.
- People deprived of liberty are supported to access external scrutiny bodies in pursuing a complaint.
- People deprived of liberty are not discouraged from, or disadvantaged, in any way as a result of speaking to external scrutiny bodies.

Visits

Indicators

- If time and circumstances permit, people deprived of liberty can have visitors, including from support services. Special consideration is given to visits for children and vulnerable adults. There is no limit to the number of visits, but the period in detention may have a bearing on what can be facilitated.



- Visitors are made to feel welcome and briefed on visiting protocols. They are protected from abuse, bullying, and intimidation.
- Visitors' complaints concerning the custody of people deprived of liberty are recorded and investigated. Visitors who complain are informed of the outcome.

Telephones

Indicators

- Unless unsafe, people deprived of liberty are given access to a telephone. If a phone is unable to be provided, calls can be made by Custody Officers on behalf of persons deprived of liberty.
- Arrangements can be made for people deprived of liberty to have a private conversation by telephone, particularly with their legal representative. Consideration is given to ensuring that people deprived of liberty do not breach family violence or restraint orders when making telephone calls.
- Custody Officers monitoring people deprived of liberty's private telephone calls maintain line of sight but remain out of hearing.

Access to Consulate, Embassy, or High Commission for Foreign Nationals

Indicators

- Custody Officers notify foreign embassies or consulates of a person deprived of liberty's detention as required by the agreed protocols.
- Foreign nationals can communicate in private with their consulate office, embassy, or high commission as soon as possible after being taken into custody.



Review of Detention

Indicators

- There is a process for senior officers to conduct reviews if the original grounds for detention change or other circumstances support the early release or transfer of a person deprived of liberty. The outcome of reviews is recorded.
- Where possible, reviews should be conducted face-to-face, especially for children and young people and vulnerable adults.
- People deprived of liberty are advised of review outcomes and, if applicable, the reason for their continued detention.
- Senior management conducts reviews of children detained in custody overnight with a view to avoiding recurrences. These reviews involve other relevant agencies and support services.
- Alternatives to custody are considered, especially for children and vulnerable adults.
- A person deprived of liberty is not required to remain in police custody for a period longer than the lawfully allowed period:
 - for a person deprived of liberty (other than a young person deprived of liberty)—36 hours,
 - for a young person deprived of liberty —12 hours.

Record Keeping

Indicators

- There is an electronic system for recording custody information including the details and grounds for detention of people deprived of liberty. Confidentiality of information contained within the system is maintained.
- Custody Officers are satisfied of the grounds for detention. The relevant charge and/or grounds for detention are recorded in the presence of the person deprived of liberty unless not possible in the circumstances.



Initial Health Assessment

Indicators

- People deprived of liberty receive an initial health and psychological assessment to identify any immediate health problems and risks, and processes are initiated to address these.
- The physical and mental state in which a person deprived of liberty enters the Custodial facility, including signs or complaints of excessive force used during the arrest and transportation into custody, should be recorded by the health care practitioner or other medical staff.
- Consent to medical consultations is obtained in line with national guidance.
- People deprived of liberty are aware that medical confidentiality is not guaranteed prior to volunteering any information to health staff.

Risk Assessment

Indicators

- Custody Officers are trained to assess risks posed by people deprived of liberty, using an appropriate risk assessment process, and Custody Officers promptly and effectively respond to any identified risks.
- Custody Officers consider the specific needs of children when conducting risk assessments.
- Custody Officers explain the purpose of risk assessments to persons deprived of liberty. Sensitive information can be disclosed without being overheard by other people deprived of liberty.
- Custody Officers have access to, and use, all relevant known information to inform risk assessments. Professional judgement forms part of the risk assessment process.



- Custody Officers actively seek relevant information from arresting or transferring officers as part of the risk assessment process.
- Staff are trained to identify risk factors and vulnerabilities that may pose risks to the person deprived of liberty or others and take appropriate remedial action.
- Concerns raised by people deprived of liberty are listened to and, where appropriate, acted upon, whether relating to their own welfare or the risk posed by others. This includes where it is intended that people deprived of liberty will share a cell or communal area.

Release or Transfer from Custody

Indicators

- Release or transfer from custody should occur as soon as possible once detention is no longer required.
- People deprived of liberty under immigration legislation are transferred to a more suitable facility as soon as possible.
- Children held in custody are released, taken to court, or transferred to a suitable facility as soon as possible.
- The transfer of custody process includes information relevant to the care and wellbeing of the person deprived of liberty while in custody and any related risks, and for consideration for release.
- Bail conditions that restrict the actions and movement of charged people should only be imposed where necessary and proportionate to risk. Restrictions should not be unduly onerous.
- Children are bailed or otherwise released in the presence of a parent or responsible adult as soon as possible. If this is not possible, or there are concerns for the child's safety or wellbeing, a senior officer authorises release and ACT Child and Youth Protection Services is contacted.
- Custody Officers explain to persons deprived of liberty released on bail the consequences should they attempt to interfere with the course of justice on release.



- People deprived of liberty are given up-to-date information about sources of help and support in the community on release. This is in a format and language they can easily understand.
- People deprived of liberty are informed on release or transfer how their personal forensic samples, including images, will be managed.

Information Sharing

Indicators

- Information-sharing protocols with relevant agencies should be in place and regularly reviewed.
- Information sharing maintains privacy and medical confidentiality between necessary agencies so that people deprived of liberty receive continuity of care while in custody, on transfer, and after release.

Additional Safeguards for Vulnerable Populations

Indicators

- The special needs of children and vulnerable adults are considered by Custody Officers in making detention decisions.
- Custody Officers and staff are aware that the impact of detention varies between people deprived of liberty, with children and vulnerable adults being most susceptible to harm. Custody Officers and staff are considerate in dealing with people deprived of liberty, especially those in custody for the first time.
- Custody Officers and staff understand that people deprived of liberty may have multiple needs, and every effort is made to accommodate those needs.
- Current government and local guidance about safeguarding children and adults is accessible and safeguarding procedures are understood and used by all Custody Officers and staff.



Children and young people

- Children and young people are not held in custody unless there is no viable alternative, and their detention is authorised by a police officer of, or above, the rank of Inspector. The name of the authorising officer and reasons any child or young person is detained are recorded.
- Custody Officers and staff are aware that children and young people have differing levels of maturity, and staff therefore are tolerant and understanding in their approach.
- Children and young people are not placed in cells with adults deprived of liberty, and are held in a separate part of the Custodial facility away from adults deprived of liberty.

Pregnancy and Nursing

- Pregnant and nursing people deprived of liberty have access to appropriate facilities and health and wellbeing services, and their status as pregnant is considered where appropriate.
- Custody Officers and staff are aware of the names and accommodation locations of pregnant or nursing people deprived of liberty and the need to be particularly responsive to persons deprived of liberty who may require urgent assistance in relation to their pregnancy or nursing.

Transgender and Gender Diverse People

- On reception, people deprived of liberty are sensitively asked about their preferred gender, name and pronouns.
- The gender identity of a person deprived of liberty is sensitive and personal information. Steps are taken to safeguard the privacy of the detained person. The information is only available to staff who require it to support the safe custody of the detained person.
- People deprived of liberty who are gender diverse can speak with a Custody Officer or staff member of the gender of their choice.



- Custody Officers and staff know the principles of equality and non-discrimination relating to gender identity.
- Decisions about accommodation location for transgender or gender diverse people deprived of liberty are based on a comprehensive consideration of the person's safety and wellbeing.

People with a Disability

- Reasonable adjustments are made for people deprived of liberty with disabilities, including non-physical disabilities.
- Custody Officers and staff respond to any signs or information that a person deprived of liberty may have neurodiverse needs and tailor their treatment and communication accordingly.

Aboriginal and Torres Strait Islander People

- Custody Officers and staff know that Aboriginal and Torres Strait Islander people deprived of liberty are at higher risk of harm while in custody. Additional measures are implemented to ensure their safety and wellbeing both while in custody and on release.
- Custody Officers and staff receive cultural awareness training, including an understanding of intergenerational trauma and disadvantage.

Relevant Standards

- [Human Rights Act 2004](#) 19, 20
- [Corrections Management Act 2007](#) 30, 31A
- [Code of Conduct for Law Enforcement Officials](#) 1, 2, 4, 5, 6
- [Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment](#)
- [Principles of Medical Ethics relevant to the Role of Health Personnel, particularly Physicians, in the Protection of Prisoners and Detainees against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment](#)



- [Basic Principles on the Role of Lawyers](#) 1, 2, 5, 6, 7, 8
- [Principles on Effective Interviewing for Investigations and Information Gathering](#) 1, 2, 3, 4
- [International Covenant on Civil and Political Rights](#) 7, 9, 10, 11
- [Convention on the Rights of the Child](#) 2, 3, 37
- [Convention on the Rights of Persons with Disabilities](#) 3, 4, 5, 9, 12, 13, 14, 15
- [International Convention on the Elimination of All Forms of Racial Discrimination](#) 2, 5

Healthcare

Expectations:

- People deprived of liberty requiring medical attention are assessed and treated by competent health professionals in a timely and confidential manner.
- People deprived of liberty with mental health needs are identified, assessed, and referred to appropriate services.
- People deprived of liberty receive required medications while in custody.

Physical Health

Indicators

- Health services provide enough staff, with the right skill mix, to meet patients' needs 24 hours a day.



- People deprived of liberty are provided medical care equivalent to that in the community.
- Health care practitioners are recognisable, professional and compassionate in their approach. They treat patients with dignity and respect.
- There are clear policy and guidelines on accessing clinical care for people deprived of liberty who are injured, unwell, or who request medical attention, and these policies and guidelines are followed.
- Clinical examinations are conducted in private unless individual risk assessments recommend otherwise. A patient may be seen by a health care practitioner of the gender of their choice, in non-emergency situations.
- Health care practitioners are competent in recognising vulnerabilities in patients who require safeguarding, and they contribute to/make appropriate onward referrals to specialist health and/or safeguarding services.
- All health staff receive adequate regular training and development opportunities and training in specific health, social and cultural issues relevant to the cohorts of detained people they oversee.
- All health staff are adequately trained to ensure that they have an understanding and appreciation of those issues which relate to Aboriginal and Torres Strait Islander health.
- All contacts with health care practitioners are recorded in the custody record and information necessary to keep the patient safe and support treatment is shared with Custody Officers, including medicines provided.
- Health care practitioners receive ongoing training and regular documented supervision and support to maintain their competencies.
- Health staff recognise risks associated with the use of restraints, actual and anticipated use of force situations in the custody suite, and advocate for the safety of the person deprived of liberty.



Mental Health

Indicators

- Custody Officers identify persons deprived of liberty with behaviours that may indicate the presence of mental health problems or other conditions, and Custody Officers refer persons deprived of liberty to health care practitioners so that they receive the correct care and support when appropriate.
- There is a clear mental health referral pathway so that people deprived of liberty with potential mental health problems have timely access to appropriate mental health services.
- Patients who require urgent specialist mental health assessment and/or treatment are promptly diverted out of police custody to a health-based place of safety.

Drug and Alcohol Management

Indicators

- Custody Officers and staff are aware of the risks posed to people deprived of liberty by alcohol, drugs, or other substances, and of the need to closely monitor and frequently rouse them.
- Custody officers and staff receive training to recognise when a person deprived of liberty requires referral to substance use services, and there is a clear referral pathway.
- Drug and/or alcohol-dependent people deprived of liberty are regularly monitored by competent staff for signs of withdrawal, using evidence-based assessment tools.
- Medicines to relieve signs and symptoms of withdrawal are prescribed and administered, as clinically indicated.
- While in custody, patients may continue opiate substitution treatment that was prescribed in the community, subject to validation. A competent prescriber is always available, and treatment is not delayed.



- Access to specialist substance misuse support is provided for people deprived of liberty with drug and alcohol issues. Interventions and prescriptions are recorded comprehensively in clinical records and shared as necessary with other care providers, including courts, corrective services and GPs.
- Onward referrals to other agencies are made prior to release or transfer. Patients are made aware of how to access ongoing support and are given harm minimisation advice. They are also given access to naloxone on release, as clinically indicated.

Medication Management

Indicators

- Robust governance processes are in place to ensure that the management of medicines is safe and effective. This includes monitoring of supply, prescribing trends and incidents involving medicines.
- People deprived of liberty in police custody may access self-care medicines such as paracetamol and nicotine replacement therapy safely and easily.
- Health care providers transport, handle and store medicines legally, safely and securely with effective pharmaceutical stock management and use.
- Medicines are prescribed safely in line with evidence-based practice and are reviewed regularly.
- Patients' named medicines are stored securely and individually and, where necessary, Custody Officers obtain patients' medicines from their homes.
- Medicines are administered, as prescribed, in a safe way by competent staff and appropriate administration records are made, including missed doses.
- Individual care and prescribed medicines are continued on transfer and release through effective liaison with other services. Patients



receive adequate supplies of medication or a community prescription to prevent gaps in treatment.

- Prescriptions and drug administration records are available to community health providers to enable continuity of care and patient safety.

Emergency Care

Indicators

- Emergency care plans and procedures are in place. Custody Officers and staff are trained in relevant emergency care procedures.
- Emergency care training exercises are conducted and include the involvement of the ACT Ambulance Service and Canberra Health Services.
- Transport is prompt and by the most direct, practical route to hospital if someone is unwell.

First Aid and Emergency Resuscitation Equipment

Indicators

- First aid, emergency resuscitation and medical equipment in the custody suite and clinical rooms are easily accessible, maintained, regularly checked and ready for use. Custody staff and health care practitioners know where to find emergency equipment and how to use it in line with their training.

Relevant Standards

- [Human Rights Act 2004](#) 19, 20
- [Code of Conduct for Law Enforcement Officials](#) 1, 2, 4, 5, 6, 7
- [Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment](#)



- [Principles of Medical Ethics relevant to the Role of Health Personnel, particularly Physicians, in the Protection of Prisoners and Detainees against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment](#)
- [International Covenant on Civil and Political Rights](#) 7, 9, 10, 11
- [Convention on the Rights of the Child](#) 2, 3, 37
- [Convention on the Rights of Persons with Disabilities](#) 3, 4, 5, 9, 12, 13, 14, 15
- [International Convention on the Elimination of All Forms of Racial Discrimination](#) 2, 5

Safety, Order, Discipline, and Restrictive Practices

Expectations:

- Use of force on a person deprived of liberty is lawful, necessary, proportionate, and a last resort.
- There is robust accountability associated with use of force.
- Staff are appropriately trained in the use of force, including restraint techniques.
- Searching of people deprived of liberty is justified, appropriate to risk, and performed in a dignified manner.
- People deprived of liberty are segregated according to gender, age, and vulnerability.
- People deprived of liberty feel safe and free from bullying and other intimidatory behaviour.



Searches

Indicators

- People deprived of liberty should be searched in a way that is sensitive to their religion and culture and that takes account of gender and gender identity.
- Searches are carried out lawfully and professionally by a person of the same gender as the person who is being searched, in the least intrusive manner possible and, as far as possible, limits the inherently humiliating character of the search.
- Unless its unavoidable, searches should not be undertaken without the presence of another Custody Officer present.
- Searches do not discriminate against vulnerable and marginalised groups, such as Aboriginal and/or Torres Strait Islander people.
- The Custodial facility has suitable screening capabilities to minimise the use of strip searching.
- Custody Officers conducting searches are appropriately trained and provided with Personal Protective Equipment.
- Accurate records of all searches are maintained and include the reason for the search, the results, and the parties involved.
- Search strategies, policies, and procedures are transparent and regularly reviewed.

Strip Searches (in addition to the above)

- Strip-searching is conducted only when necessary. It is appropriately authorised, with a written record of the justification. It is carried out in private by members of staff of the same sex (in the presence of an appropriate adult if required) and monitored at a senior level to ensure appropriate use.
- Strip-searching is never undertaken on children.
- Strip-searching never includes a search of body cavities of a person deprived of liberty.



- A strip search may be conducted in the presence of a medical practitioner of the opposite sex to the person deprived of liberty searched if a medical practitioner of the same sex as the person deprived of liberty being searched is not available within a reasonable time.

Restraints

Indicators

- The use of mechanical restraints, including handcuffs, as routine police custody management is prohibited; their use is necessary and proportional.
- Only approved control and restraint equipment is used, with sufficient scrutiny by senior officers to assure its use was appropriate.
- Custody staff are aware of the risks associated with particular forms of restraint and how these risks can be minimised.
- Only age-appropriate and approved restraint techniques are used for children.
- All staff involved in a use of restraint are debriefed and complete appropriate reports promptly. They can access supports where required.
- Use of restraint documentation and associated footage is securely retained and is scrutinised by ACT Policing to identify good practice, opportunities for improvement, and possible ill-treatment.

Use of Force

Indicators

- There are clear policies and guidance for the use of force in custody.
- All Custody Officers and staff are trained in de-escalation techniques and seek to avoid using force on people deprived of liberty where possible.



- Where force is used, staff only use approved techniques in line with use of force policies and their training, with no more force and for no longer than is necessary and proportionate.
- There is a prohibition on the use of dangerous positions and stress positions (positional torture).
- Force is avoided for the removal of clothing from persons deprived of liberty because of risks of self-harm. Other ways of managing these risks are considered instead. Where clothing is removed, it must be done by a Custody Officer of the same gender unless the circumstances demand immediate attention.
- People deprived of liberty are not dragged along the floor when being moved by Custody Officers and staff, as this is degrading. People deprived of liberty are provided assistance by Custody Officers and staff to walk, provided mobility aids such as a wheelchair, or they are carried by police (e.g. on a stretcher).
- When force is used on people deprived of liberty, their health needs are considered and, if necessary, are examined by an appropriately qualified health care practitioner. Where a person deprived of liberty asks to see a health care practitioner it is arranged promptly.
- When force is used on children, they are always examined promptly by an appropriately qualified health care practitioner.
- Use of force within custody suites, and the control and restraint equipment used, is documented within the individual custody record. A separate 'use of force' form is submitted by each Custody officer/staff member involved that clearly explains what happened and why force was used.
- Use of force documentation is recorded accurately, and associated footage is securely retained and is scrutinised by ACT Policing to identify good practice, opportunities for improvement, and possible ill-treatment.
- There are quality assurance arrangements to show that the force used was lawful and proportionate.



- All staff involved in a use of force are debriefed. They can access supports where required.

Separation of Vulnerable People Deprived of Liberty

Indicators

- Custody Officers and staff are alert to the risk of self-harm and closely monitor and support people deprived of liberty who indicate a desire to harm themselves. Custody Officers ensure that all staff working within the custody suite are aware if a person deprived of liberty is at risk of self-harm.
- The use of any cell from which normal furniture, bedding or sanitation has been removed (padded cell), or in which a person is held in anti-rip clothing, is authorised and recorded, and only used for the shortest time necessary.
- People deprived of liberty with severe mental illness and people deprived of liberty at risk of suicide or self-harm are not held in a padded cell except in clearly documented and authorised exceptional circumstances and in consultation with health staff.
- The frequency of observations is managed in accordance with the level of assessed risk and the level of risk is regularly reviewed. All observations are recorded, and any concerns immediately reported to the responsible Custody Officer.
- The removal of clothing to manage self-harm is based on an individual risk assessment and used as a last resort when all other options have been considered. Any item of clothing required to be removed from a person deprived of liberty should be replaced unless unsafe.
- All Custody Officers working in custody facilities have ready access to anti-ligature knives.



Isolation and Solitary Confinement

Indicators

- The use of solitary confinement is prohibited. The use of isolation is a last resort and for the least possible time.

Safety from Bullying and Intimidation

Indicators

- ACT Policing has an effective anti-bullying strategy.
- Custody Officers promptly investigate allegations of bullying, abuse, or violence, and responds where required.
- If harm, abuse, or bullying is alleged or suspected, prompt action is taken to protect the person deprived of liberty and prevent retaliation.
- Alleged victims are not discriminated against in any way due to their reporting of, or taking action against, bullying, abuse, or violence
- Victims of bullying, abuse, or violence are provided appropriate support.
- Perpetrators of bullying are appropriately managed.

Relevant Standards

[Human Rights Act 2004](#) 19, 20

[Corrections Management Act 2007](#) 31

[Crimes Act 1900](#) 226, 227, 228

[Code of Conduct for Law Enforcement Officials](#) 1, 2, 3, 4, 5, 6, 7

[Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment](#)

[Principles of Medical Ethics relevant to the Role of Health Personnel, particularly Physicians, in the Protection of Prisoners and Detainees against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment](#)



[International Covenant on Civil and Political Rights](#) 7, 9, 10, 11

[Convention on the Rights of the Child](#) 2, 3, 37

[Convention on the Rights of Persons with Disabilities](#) 3, 4, 5, 9, 12, 13, 14, 15

Transportation

Expectations:

- People deprived of liberty are transported in a safe and dignified manner that adequately provides for the needs of children and vulnerable adults.

Assessment of Risk and Individual Needs Prior to Transport

Indicators

- Reasonable efforts are made to identify any individual transportation needs of person deprived of liberty in advance of the journey, and required modifications to the vehicle or journey are carried out accordingly to minimise impact of travel.
- Transport vehicles and arrangements meet the diverse needs of people deprived of liberty including those who are unwell, injured, pregnant or have a disability.
- Escort staff are aware of the individual needs of people deprived of liberty in their custody and fully brief receiving staff on arrival at the destination about those needs.
- People deprived of liberty are only restrained during transportation where there are legitimate security grounds to do so, and where appropriate measures are in place to ensure their safety in case of accident or unexpected stopping.



- People deprived of liberty are transported in a manner that protects their privacy to the maximum extent possible in the circumstances.

Maintenance, Servicing and Hygiene of Transport Vehicles

Indicators

- Transport vehicles are safe, clean, provide a reasonable level of comfort, are well maintained, and meet the diverse needs of people deprived of liberty.
- All transport vehicles and equipment, including CCTV, are checked for serviceability before the transport task commences. These checks are recorded.
- Transport vehicles are smoke free.
- Transport vehicles are regularly cleaned.

Ventilation and Climatic Conditions

Indicators

- Transport vehicles have suitable climatic controls to guard against extreme temperatures, with good natural ventilation readily available if climate control fails.

Dignity and Safety During Transportation

Indicators

- People deprived of liberty are informed in advance about the destination and duration of the journey, unless there are clearly documented security justifications not to.
- People deprived of liberty are not kept waiting in vehicles for prolonged periods.
- People deprived of liberty have access to clean drinking water, menstrual products, adequate comfort breaks and food.



- People deprived of liberty are monitored (both visually and verbally) at appropriate intervals whilst in transit to ensure their safety and wellbeing.
- People deprived of liberty at court or on transfer do not miss meals.

Emergency Procedures

Indicators

- Escort staff are trained to deal with all types of emergencies, including accidents, breakdowns and medical emergencies. Escort staff are appropriately trained in first aid.
- Contingency plans exist on how to deal with emergencies, breakdowns and other unexpected occurrences. These plans provide for the welfare and safety of staff, the public and people deprived of liberty.
- Where the journey involves travelling across or between jurisdictions, there is appropriate communication with these jurisdictions.
- Escort vehicles can be tracked at all times. Escorting staff maintain radio contact with the control room during all stages of transport.

Relevant Standards

[Human Rights Act 2004](#) 19, 20

[Code of Conduct for Law Enforcement Officials](#) 1, 2, 5, 6, 7

[Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment](#)

[International Covenant on Civil and Political Rights](#) 7, 9, 10, 11

[Convention on the Rights of the Child](#) 2, 3, 37

[Convention on the Rights of Persons with Disabilities](#) 3, 4, 5, 9, 12, 13, 14, 15



Leadership and Staffing

Expectations:

- Senior management promotes safe and respectful custody. There is a clear focus on protecting vulnerable adults and children in custody and diverting them away wherever possible.
- Custodial officers maintain high level integrity and professionalism.
- Custody forms part of corporate performance management and reporting.
- ACT Policing collaborates with partner agencies and organisations to enhance custody arrangements.
- Custody arrangements are open to external scrutiny.

Promotion of Safe and Respectful Custody

Indicators

- There are ACT Policing-wide objectives concerning the safe and respectful delivery of custody. These include the protection and safeguarding of vulnerable adults and children in custody, diverting them away where possible. ACT Policing's commitment to this is promoted and evident.
- There is an effective management structure providing appropriate governance and oversight of custody.
- ACT Policing monitors and scrutinises healthcare and other services provided externally under contract to make sure people deprived of liberty receive the required service.
- There are enough Custody Officers and staff working in facilities to ensure the safety and wellbeing of people deprived of liberty. They have the right skills and are trained to perform the role.
- There are policies and procedures for custody that are properly implemented. They reflect legislation, professional guidance and relevant human rights standards. They are reviewed regularly, are accessible and Custody Officers and staff understand them.



Openness to External Scrutiny and Continuous Improvement

Indicators

- ACT Policing responds to issues and complaints raised by external scrutiny bodies. This includes dealing with immediate complaints and issues raised during visits.
- ACT Policing works with external scrutiny bodies, to provide independent scrutiny of custody services and achieve better outcomes for people deprived of liberty. It seeks to learn from their expert knowledge, making changes when needed.
- Accurate data is routinely collected for a full range of custody activities, and this is analysed at strategic and operational levels. The information is used to assess how well custody services perform, to identify trends, inform organisational learning and to improve outcomes for people deprived of liberty.
- Information on the throughput of people deprived of liberty and services provided to them is collected by ethnicity and other protected characteristics. Any disproportionality of treatment is identified and assessed. The reasons for any over or under-representation of particular groups are understood and actions taken to address any concerns.
- Custody Officers and staff who raise concerns about the treatment of people deprived of liberty are supported and their concerns investigated.

Systems, Policies and Processes

Indicators

- Regular audits are conducted of equipment contained in the Custodial facility. The audit includes the key register. Urgent action is



taken if items that could be a potential safety risk are found to be missing or damaged.

- Custody Officers and staff understand safety procedures and can safely evacuate people deprived of liberty in the event of a fire or other emergency. Emergency procedures are regularly exercised, and the results recorded. Areas identified for improvement are acted upon in a timely manner.
- There is clear policy and procedures governing the transferring of people deprived of liberty between ACT Policing and ACTCS or HCSD that include clear lines of accountability and responsibility for the custody, care and wellbeing of people deprived of liberty at all stages.
- Custody arrangements between ACT Policing, ACTCS and HCSD are regularly reviewed at a senior level to ensure they remain contemporary and effective.
- Custody Officers and staff participate in handovers of custody duties. Handovers are conducted in private and recorded.

Training and Professional Development

Indicators

- There is prerequisite entry level training for new Custody Officers and staff working in custody facilities as well as regular on-going training.
- Training is documented to record competency.
- Training emphasises the fair and respectful treatment of people deprived of liberty, human rights of people deprived of liberty and staff and the meaning and application of the duty of care.
- Custody Officers and staff are trained in emergency response, including fire, smoke, and chemical spills and leaks. Custody Officers have access to, and are trained in the use of, emergency equipment. Physical evacuations are regularly practised and recorded.



Cultural Awareness, Equity and Diversity Training and Competency

Indicators

- Custody Officers and staff complete cultural awareness training and have ongoing access to related professional development and community engagement opportunities.
- Custody Officers and staff have been trained to recognise and meet the needs of people who have diverse needs and/or one or more of the protected characteristics under the discrimination legislation.
- Custody Officers and staff are confident to challenge and report unfair or discriminatory treatment, and ACT Policing leadership takes appropriate action to address unfair or discriminatory treatment.

Use of Force and Restraint Training and Refresher Training

Indicators

- Custody Officers are appropriately trained in use of force and de-escalation techniques, and this training is refreshed periodically.

First Aid Training

Indicators

- Custody Officers and staff are appropriately trained in first aid, and training is periodically refreshed.

Training to Identify Behaviours Indicative of Mental Health Issues

Indicators



- Custody Officers and staff receive basic initial and ongoing mental health awareness training, including information on trauma and mental health first aid. Custody Officers and staff understand the different ways in which people deprived of liberty may present with mental ill-health, neurodiverse needs and other vulnerabilities and they respond appropriately.
- Custody Officers are trained to identify people deprived of liberty with behaviours that may indicate the presence of mental health problems or other conditions, identifying self-harm and suicidal behaviour, and in suicide prevention; and refer them to health care practitioners so that they receive the correct care and support.

Staff Safety

Indicators

- Custody Officers and staff are supported by effective leadership and supervision.
- Policies and procedures affecting Custody Officers and staff are encourage the achievement of a work/life balance.
- Custody Officers and staff are provided with current and internally consistent policies, procedures and position descriptions which clearly detail their duties and accountabilities.
- Custody Officers and staff are informed of workplace meetings, notices and briefings.
- Custody Officers and staff have access to the resources necessary to perform the tasks required of them.
- Custody Officers and staff are be advised of the full range of available counselling, mentoring, and other supports available.
- The health status of Custody Officers and staff are monitored by management collecting, reviewing and acting on data on overtime, sick leave and staff turnover.



- Following critical incidents, all affected staff are be offered a range of opportunities for debriefing and assistance as is appropriate to the circumstances.

Relevant Standards

- [Human Rights Act 2004](#) 19, 20
- [Crimes Act 1900](#) 226, 227, 228, 229
- [Code of Conduct for Law Enforcement Officials](#) 1, 2, 4, 5, 6, 7
- [Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment](#)
- [Principles of Medical Ethics relevant to the Role of Health Personnel, particularly Physicians, in the Protection of Prisoners and Detainees against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment](#)
- [International Covenant on Civil and Political Rights](#) 7, 9, 10, 11
- [Convention on the Rights of the Child](#) 2, 3, 37
- [Convention on the Rights of Persons with Disabilities](#) 3, 4, 5, 9, 12, 13, 14, 15
- [International Convention on the Elimination of All Forms of Racial Discrimination](#) 2, 5



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Commonwealth Ombudsman

Level 5, 7 London Cct

Canberra ACT 2601

Tel: 1300 362 072

Email: ombudsman@ombudsman.gov.au