



New South Wales

Prisons (General) Amendment (Classification of Female Inmates) Regulation 1997

under the

Correctional Centres Act 1952

His Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Correctional Centres Act 1952*.

BOB DEBUS, M.P.,

Minister for Corrective Services

Explanatory note

The object of this Regulation is to provide a separate classification system for female inmates. All inmates have to be classified by the Commissioner of Corrective Services for the purposes of security and developmental programs, and at present under the *Prisons (General) Regulation 1995* the same categories are used for both male and female inmates.

This Regulation also makes consequential amendments to penal terminology in those clauses being amended, and specifies the classes of inmates (taking into account the new classification system for female inmates) who have a high security classification for the purposes of interstate leave permits.

This Regulation is made under the *Correctional Centres Act 1952* (formerly called the *Prisons Act 1952*), including section 29AC (6) and section 50 (the general regulation making power, in particular section 50 (1) (c)).

Prisons (General) Amendment (Classification of Female Inmates) Regulation 1997

1 Name of Regulation

This Regulation is the *Prisons (General) Amendment (Classification of Female Inmates) Regulation 1997*.

2 Commencement

This Regulation commences on 4 July 1997.

3 Amendment of Prisons (General) Regulation 1995

The *Prisons (General) Regulation 1995* is amended as set out in Schedule 1.

4 Notes

The explanatory note does not form part of this Regulation.

Schedule 1 Amendments

(Clause 3)

[1] Clause 10 Classification of inmates

Omit “prisoner” from clause 10 (1).
Insert instead “male inmate”.

[2] Clause 10 (1A)

Insert after clause 10 (1):

- (1A) Each female inmate must, for the purposes of security and developmental programs, be classified by the Commissioner in one of the following categories:

Category 4: Continuous supervision

Those female inmates who, in the opinion of the Commissioner, should at all times be confined by a secure physical barrier.

Category 3: General supervision

Those female inmates who, in the opinion of the Commissioner, should be confined by a physical barrier unless in the company of a correctional officer or some other person authorised by the Commissioner.

Category 2: Minimum supervision

Those female inmates who, in the opinion of the Commissioner, need not be confined by a physical barrier at all times but who need some level of supervision by a correctional officer or some other person authorised by the Commissioner.

Category 1: Monitored

Those female inmates who, in the opinion of the Commissioner, need not be confined by a physical barrier at all times and who need not be supervised.

[3] Clause 10 (2)–(5)

Omit “prisoners”, “a prisoner”, “prison” and “prisoner’s” wherever occurring.

Insert instead “inmates”, “an inmate”, “correctional centre” and “inmate’s”, respectively.

[4] Clause 11 Classification of escaped inmates

Omit “A prisoner” wherever occurring from clause 11(1) and (2).
Insert instead “An inmate”.

[5] Clause 11 (2)

Omit “prison” wherever occurring. Insert instead “correctional centre”.

[6] Clause 11 (3) (b)

Omit the paragraph. Insert instead:

- (b) a significant rehabilitation purpose would be achieved by approving the inmate’s progression to:
 - (i) Category C1, C2 or C3 in the case of a male inmate, or
 - (ii) Category 3, 2 or 1 in the case of a female inmate.

[7] Clause 11 (4) and (8)

Omit “prisoner” wherever occurring.
Insert instead “inmate”.

[8] Clause 11 (6)

Omit “a prisoner”. Insert instead “an inmate”.

[9] Clause 11A

Insert after clause 11:

11A High security classification of inmates for purposes of interstate leave permits

- (1) For the purposes of section 29AC of the Act, male inmates classified in Category A1, A2 or B under clause 10 (1), or in Category E1 or E2 under clause 11, are prescribed as a class of male inmates having a high security classification.
- (2) For the purposes of section 29AC of the Act, female inmates classified in Category 4 under clause 10 (1A), or in Category E1 or E2 under clause 11, are prescribed as a class of female inmates having a high security classification.