



## Commissioner's Instruction

No: 01/2011

To: *Board of Management  
Regional Executive Directors  
General Managers/Superintendents  
Directors, Area & District Managers Community Offender Services  
Director Offender Policy  
Director Corporate Strategy*

### For the information of all staff

Subject: Employee acknowledgement of the Guide to Conduct and Ethics 2010

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#### **PREAMBLE**

This Instruction is issued in accordance with the provisions of section 235B of the *Crimes (Administration of Sentences) Act 1999*. Commissioner's Instructions amount to lawful orders and any staff member who intentionally disobeys or disregards this Instruction, or is found to be negligent in the performance of their duties, may be liable to disciplinary action under the *Public Sector Employment & Management Act 2002*.

#### **INSTRUCTION**

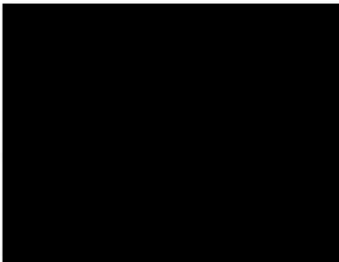
The updated Corrective Services NSW Guide to Conduct and Ethics 2010 was released in December last year and is available for all employees on the intranet.

<http://dcs-intranet.online.dcs.nsw.gov.au/Organisation/probity-staff-development-safety/corruption-prevention/csnsw-guide-to-conduct-and-ethics>

In line with an Independent Commission Against Corruption recommendation, published in 2006, it is a requirement for all employees of Corrective Services NSW to acknowledge they have read and understood the content of the Guide and they agree to uphold the values promoted and comply with all its provisions.

To confirm acknowledgement, employees must complete an electronic form, available on the same intranet page as the Guide. Once the electronic form has been submitted, a confirmation email will be automatically sent to the employee, their manager and the Payroll and Personnel Unit to be placed on the employee's personal file.

Managers are to ensure that employees read the Guide to Conduct and Ethics 2010 and complete the electronic acknowledgement form.





## Commissioner's Instruction

No: 02/2011

To: Board of Management  
Regional Executive Directors  
General Managers/Superintendents  
Area/District Managers, Community Offender Services  
Director Offender Policy  
Director Corporate Strategy

### For the information of all staff

Subject: **Inmates of Interest to Immigration**

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#### **PREAMBLE**

This instruction is issued in accordance with the provisions of section 235B of the *Crimes (Administration of Sentences) Act 1999*. Commissioner's Instructions amount to lawful orders and any staff member who intentionally disobeys or disregards this instruction, or is found to be negligent in the performance of their duties, may be liable to disciplinary action under the *Public Sector Employment & Management Act 2002*.

#### **INSTRUCTION**

This instruction amends No 2/2009.


Instruction No 2/2009 contained definitions of 'Unlawful Non-Citizens' and 'Lawful Non-Citizens'. I have recently been advised that these definitions were not accurate.

The correct definitions are:

'Unlawful Non-Citizens' refers to an inmate who did not have a valid permanent residency visa at the time of his or her incarceration; and

'Lawful Non-Citizens' refers to an inmate who had a valid permanent residency visa (e.g. a Special Category Visa if a citizen of New Zealand) at the time of his or her incarceration.

The Commonwealth Department of Immigration and Citizenship has confirmed that for an unlawful non-citizen to be incarcerated in NSW, he or she must have a form of visa. The visa issued is always of a temporary nature allowing for them to be detained in corrections custody for the duration of their sentence before removal.







## Commissioner's Instruction

No: 03/2011

To: *Board of Management  
Regional Executive Directors  
General Managers/Superintendents  
Directors, Area & District Managers Community Offender Services  
Director Offender Policy  
Director Corporate Strategy*

### For the information of all staff

Subject: **2011/11 expenditure freeze**

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#### **PREAMBLE**

This Instruction is issued in accordance with the provisions of section 235B of the *Crimes (Administration of Sentences) Act 1999*. Commissioner's Instructions amount to lawful orders. Any staff member who intentionally disobeys or disregards this Instruction, or is found to be negligent in the performance of their duties, may be liable to disciplinary action under the *Public Sector Employment & Management Act 2002*.

#### **INSTRUCTION**

Corrective Services NSW continues to spend above the NSW Treasury funded allocation.

I previously wrote to each member of the Board of Management in January 2011 requesting that over the ensuing five months till 30 June 2011 they take significant measures to reduce expenditure. I stressed that only essential expenditure should be committed. I expected then that significant reductions would occur across all levels of expenditure but in particular, overtime, equipment replacement, discretionary expenditure, contractors, and repairs and maintenance would reduce.

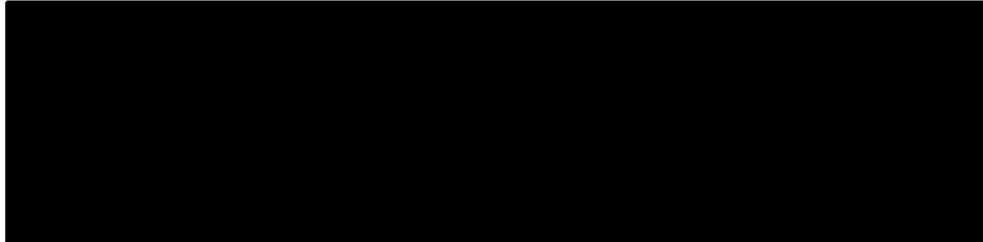
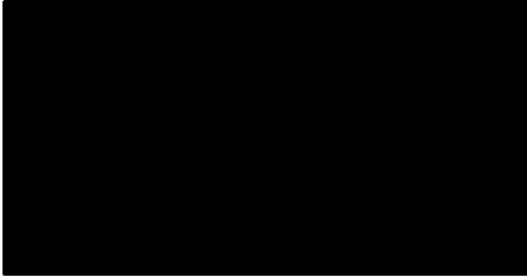
To date there has been no significant reduction in these line items. I am now forced to impose a complete freeze on non critical recurrent expenditure being committed up until 30 June 2011.

Cost centre managers should ensure that **no** expenditure, other than that which is operationally critical, is committed in the lead up to the end of the financial year. This extends to any recruitment action currently in progress. New recruitment, including creation of positions, is also to cease. The current whole of government restrictions on the use of agency staff remain in place.

I am making the two deputy commissioners responsible for ensuring that absolutely essential expenditure **only** is authorised and committed.

Use of overtime and the use of casual custodial officers will continue to be reviewed and controlled by the Deputy Commissioner Offender Management and Operations.

Where an urgent, business critical case can be stated for continuation of current recruitment, this should be approved by the responsible deputy commissioner.





## Commissioner's Instruction

No: 4 / 2011

**To:** *Board of Management  
Regional Executive Directors  
General Managers/Superintendents  
Directors, Area and District Managers Community and Offender Services  
Director Offender Policy  
Director Corporate Strategies*

### For the information of all staff

**Subject:** Staff Screening Procedures at Correctional Centres

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#### **PREAMBLE**

This Instruction is issued in accordance with the provisions of Section 235B of the *Crimes (Administration of Sentences) Act 1999*. Commissioner's instructions amount to lawful orders. Any staff member who intentionally disobeys or disregards this instruction may be liable to disciplinary action under the *Public Sector Employment and Management Act 2002*.

#### **INSTRUCTION**

As a result of the recent ICAC investigation into the trafficking of contraband into John Morony Correctional Centre, I have reviewed Correctional Centre gate procedures.

Effective immediately, upon entry to the security screening point, all staff are to place the contents of their pockets in a container for examination by the screening officer. Where available, staff are then required to walk through a metal detector.

Subsequently if an alert sounds from the walk-through detector, staff are to be re-screened using a hand held wand.

Screening staff must be satisfied that they identify the source of the alarm and if necessary request the removal of belts, shoes etc. However screening staff must also remain mindful of the limits of their search powers and be aware that certain garments may contain metal.

If screening staff are unable to satisfy themselves of the cause of the alarm, the decision to allow the staff member into the centre should be referred to the Manager of Security or Watch Commander / Night Senior.





## Commissioner's Instruction

No: 5/ 2011

**To:** *Board of Management  
Regional Executive Directors  
General Managers / Superintendents  
Directors, Area and District Managers Community and Offender Services  
Director Offender Policy  
Director Corporate Strategies*

### **For the information of all staff**

**Subject:** Introduction of Personal Drinks / Bottles to Correctional Centres

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#### **PREAMBLE**

This Instruction is issued in accordance with the provisions of Section 235B of the *Crimes (Administration of Sentences) Act 1999*. Commissioner's instructions amount to lawful orders. Any staff member who intentionally disobeys or disregards this instruction may be liable to disciplinary action under the *Public Sector Employment and Management Act 2002*.

#### **INSTRUCTION**

During the ICAC investigation into the trafficking of contraband into John Morony Correctional Centre, it was found that alcohol was introduced into the centre in an opened water bottle.

Effective immediately only cans and bottles containing drinks with the seal intact and unopened will be permitted past the gate area.

Empty personal drink bottles may be taken in to the centre and refilled at staff amenities.

Effective immediately, Gate staff are responsible for ensuring that drink containers taken into any centre comply with this instruction.





## Commissioner's Instruction

No: 6 / 2011

To: *Board of Management  
Regional Executive Directors  
General Managers/Superintendents  
Directors, Area and District Managers Community and Offender Services  
Director Offender Policy  
Director Corporate Strategies*

### For the information of all staff

Subject: Rotation of Gate Staff at Correctional Centres

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#### **PREAMBLE**

This Instruction is issued in accordance with the provisions of Section 235B of the *Crimes (Administration of Sentences) Act 1999*. Commissioner's instructions amount to lawful orders. Any staff member who intentionally disobeys or disregards this instruction may be liable to disciplinary action under the *Public Sector Employment and Management Act 2002*.

#### **INSTRUCTION**

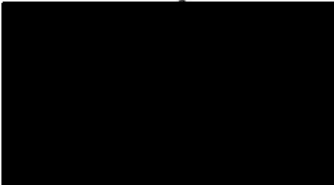

During the recent ICAC investigation into the trafficking of contraband into John Morony Correctional Centre, an issue was identified in that some staff have been rostered for excessive period in gatehouse posts.

The ICAC identified that this lack of rotation has the potential for complacency and recommended that staff should not be permanently placed in a gatehouse position.

I concur with this reasoning and also see the implications for lack of professional development by one officer remaining in the same post for an extensive period.

Effective immediately, General Managers and Managers of Security are to identify a number of suitable staff and ensure that they are rostered through the centre's gate positions.

No officer should spend longer than 2 years held against a gate position at any centre before being rotated to another area.





## Commissioner's Instruction

No: 7/2011

To: Board of Management  
Regional Executive Directors  
General Managers/Superintendents  
Area/District Managers, Community Offender Services  
Director Offender Policy  
Director Corporate Strategy

### For the information of all staff

**Subject: Recreational photographs of inmates**

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#### **PREAMBLE**

This instruction is issued in accordance with the provisions of section 235B of the *Crimes (Administration of Sentences) Act 1999*. Commissioner's Instructions amount to lawful orders and any staff member who intentionally disobeys or disregards this instruction, or is found to be negligent in the performance of their duties, may be liable to disciplinary action under the *Public Sector Employment & Management Act 2002*.

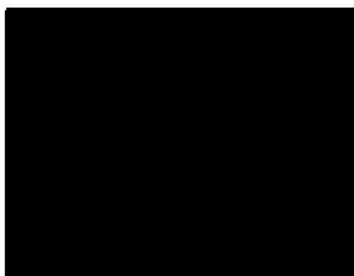
#### **INSTRUCTION**

This Instruction replaces Commissioner's Instruction (CI): 10/2010 – Cessation of photographing of inmates.

I have recently approved a policy to allow medium and minimum security inmates and their visitors to be photographed during recreational activities. The photograph may be retained in the personal possession of the inmate or posted to another person who is not in custody or a family member who is in custody.

Only male inmates with the security classifications of B, E2, E2U, C1, C2 or C3 or females inmates with the security classifications of Category 1, 2, 2U, 3 or 3U are eligible to have recreational photographs.

The Deputy Commissioner, Offender Management and Operations will publish the policy 'Recreational photographs of inmates' in the Operation Procedure Manual. No recreational photographs of inmates are to be taken until this policy is published and implemented.







## Commissioner's Instruction

No: 8 / 2011

**To:** Board of Management  
Regional Executive Directors  
General Managers/Superintendents  
Directors, Area & District Managers Community Offender Services  
Director Offender Policy  
Director Corporate Strategy

### For the information of all staff

**Subject:** Review of closed-circuit television cameras (CCTV)

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#### **PREAMBLE**

This Instruction is issued in accordance with the provisions of Section 235B of the *Crimes (Administration of Sentences) Act 1999*. Commissioner's instructions amount to lawful orders. Any staff member who intentionally disobeys or disregards this instruction may be liable to disciplinary action under the *Public Sector Employment and Management Act 2002*.

#### **INSTRUCTION**

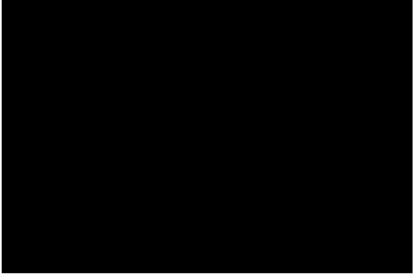
As a result of the recent ICAC investigation into the trafficking of contraband into John Morony Correctional Centre, a recommendation was handed down to Corrective Services NSW (CSNSW) to instruct correctional centre managers to make frequent checks of Closed Circuit Television (CCTV) staff searches prior to the entry of a centre.

Effectively immediately, Managers of Security (MOS) are to remotely review CCTV footage of staff searches on a regular basis to ensure compliance with CSNSW policy and procedures.

Should a correctional centre not have the facilities of a CCTV camera installed in the gate house that is a position to monitor staff searches, the MOS will be required to randomly attend staff searches in person.

The MOS should maintain a journal entry of when personal or remote reviews of staff searches are being carried out.

All CCTV footage recordings are to be kept in a secure location within the centre.





## Commissioner's Instruction

No: 9 of 2011

To: *Board of Management  
Regional Executive Directors  
General Managers/Superintendents  
Directors, Area & District Managers Community Offender Services  
Director Offender Policy  
Director Corporate Strategy*

### For the information of all staff

Subject: **Trafficking into correctional centres involving children and young people**

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### **PREAMBLE**

This Instruction is issued in accordance with the provisions of section 235B of the *Crimes (Administration of Sentences) Act 1999*. Commissioner's Instructions amount to lawful orders and any staff member who intentionally disobeys or disregards this Instruction, or who is found to be negligent in the performance of their duties, may be liable to disciplinary action under the *Public Sector Employment and Management Act 2002*.

### **INSTRUCTION**

This instruction is for Corrective Services NSW (CSNSW) staff who become aware of a child or young person (defined as being under the age of 18 years) being used, coerced or manipulated into trafficking drugs or other contraband into correctional centres.

All decisions made in response to trafficking by a child or young person, or suspected trafficking by a child or young person, must ensure that the welfare of the child or young person is the highest priority.

#### **1. Prevention Cases**

No child or young person is to be used in a targeted security operation under any circumstances.

When it is reasonably suspected that an inmate or visitor may be planning to use a child or young person to traffic contraband or act illegally, staff must advise the Child Protection Coordination and Support Unit (CPCSU) of all relevant details, including the name and date of birth of the child or young person, carer, inmate and MIN via email [child.protection@dcs.nsw.gov.au](mailto:child.protection@dcs.nsw.gov.au) or telephone the Director, Child Protection on [REDACTED]

Where appropriate, the CPCSU will notify the child or young person's carer so that:

- the carer is made aware of the situation;
- the child or young person does not attend the correctional centre for the intended visit/s;
- the child or young person is not placed at risk of harm.

The CPCSU will also liaise with relevant agencies, including Family and Community Services (formerly known as DoCS).

The CPCSU will enter "B" alerts on OIMS which temporarily prevent the inmate from receiving contact visits from the child or young person. The CPCSU will then conduct an assessment in relation to the inmate's visits with the child or young person. A decision will be made in relation to the inmate's visits with the child or young person by the Director, Child Protection or the Child Protection Panel. There are a range of options that can be considered with respect to future visits for the child or young person, for example, the visits could be non-contact visits or the visits could be facilitated by an independent third party, such as SHINE for Kids.

## **2. Actual Attempt or Incident of Trafficking by a Child or Young Person**

Any attempts or incidents of trafficking into a correctional centre should be dealt with in accordance with the Custodial Operations Procedures Manual (search and detain powers are covered in section 12: "Correctional Centre Security" and visits are covered in section 15: "Visits to Inmates and Correctional Centres").

With regard to options to manage a child or young person's status as a visitor in cases where an adult has used the child or young person, or an adult has attempted to use the child or young person, to traffic drugs into a correctional centre, the CPCSU may provide advice to the Superintendent, Office of the Commissioner (OOC).

A number of factors will be considered such as the age of the child or young person, the relationship between the child or young person and the inmate, the child or young person's safety, wellbeing and best interests and whether there are protective adults in the child or young person's life.

The CPCSU will liaise with other Government agencies as required, such as Family and Community Services or Child Wellbeing Units. The family may also be referred to services in the community to assist with addressing the risk factors for the child or young person.

## **3. Other Concerns regarding Children and Young People**

From time to time concerns about children or young people, such as behavioural issues during visits, are raised with the Superintendent, OOC. The good order and security of correctional centres needs to be balanced by an appreciation of the needs of children and young people to maintain relationships while their parents and loved ones who are in custody.

The CPCSU can provide advice about decisions involving children or young people to ensure the wellbeing, safety and best interests of the children or young people are taken into consideration.

#### **4. General**

When it is reasonably suspected that a child or young person is being used to traffic contraband, it is NOT acceptable:

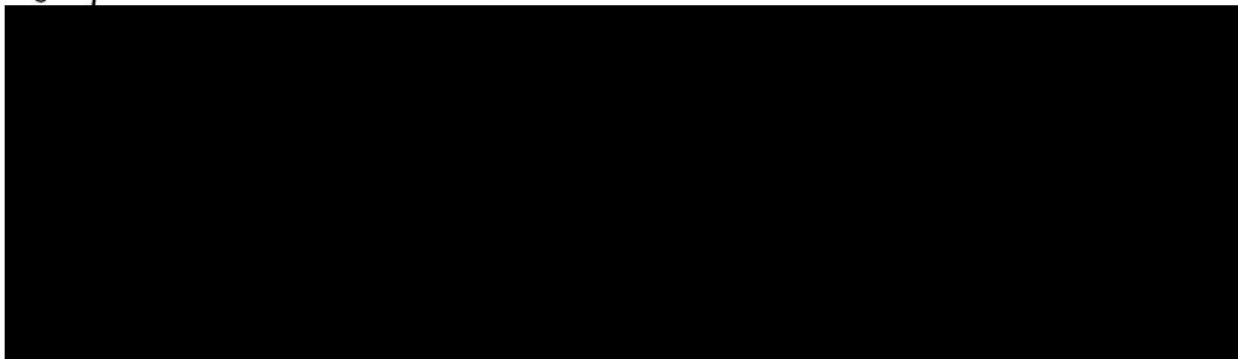
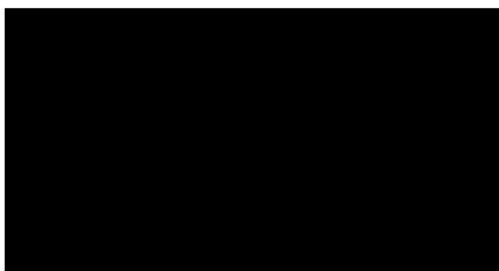
- to allow the child or young person to visit a correctional centre in order to monitor and/or intercept the trafficking of contraband; or
- to have Passive Alert Dogs in place or notify Police for a targeted security operation.

Children and young people are not generally in a position to make informed decisions about being involved in such activities. Children may be too young to know what is happening or they may be pressured to comply or become involved in order to please their parent or loved one.

Most Intelligence Officers are vigilant about child protection issues and work closely with the CPCSU on a regular basis.

It is important for all staff to recognise that there are ways to maintain family relationships with parents and loved ones in custody, whilst ensuring that safety obligations towards children and young people and the community are met. In cases where a parent or adult is not available or permitted to take a child or young person to visit their parent in custody, visits for the child or young person may be facilitated by SHINE for Kids, a charitable organisation which supports children with a parent in the criminal justice system.

This directive balances the good order and security requirements of correctional centres with the safety, welfare and wellbeing of children and young people.





## Commissioner's Instruction

No: 10 / 2011

To: Board of Management  
Regional Executive Directors  
General Managers/Superintendents  
Area/District Managers, Community Offender Services  
Director Offender Policy  
Director Corporate Strategy

### For the information of all staff

Subject: **Reviewing Use of Force incidents**

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#### **PREAMBLE**

This instruction is issued in accordance with the provisions of section 235B of the *Crimes (Administration of Sentences) Act 1999*. Commissioner's Instructions amount to lawful orders and any staff member who intentionally disobeys or disregards this instruction, or is found to be negligent in the performance of their duties, may be liable to disciplinary action under the *Public Sector Employment & Management Act 2002*.

#### **Background**

The Using Force on Inmates policy (refer section 13.7, Operations Procedures Manual) requires the Manager Security or another delegated senior manager (Reviewing Officer) to review, as soon as practicable, all reports written as a consequence of a use of force incident. All available video recordings must also be reviewed.

This review is intended to provide senior management with confidence that the use of force was warranted, reasonable and appropriate in the circumstances.

After the reports and video evidence are reviewed, the reviewing officer must log on to the Incident Reporting Module (IRM) and note that fact on the incident's Event Log. A review of the IRM Event Log data for the past 12 months has revealed a poor level of compliance with this requirement.



## INSTRUCTION

General Managers must ensure that the Reviewing Officer reviews all reports and available video evidence relating to a use of force, ensuring that:

- all involved staff submitted Incident Reports (Note: Is there a report from all people identified in the IRM Involved Parties);
- all identified witnesses submitted reports/statements;
- an appropriate written explanation is provided in the event that the incident wasn't captured on video.

The Reviewing Officer must also consider:

- The quality of the incident reports submitted. Do they:
  - describe the lead up to the incident requiring force to be used;
  - describe efforts by involved staff to avert the necessity to use force;
  - explain why the use of force was necessary;
  - specify the instructions given to the inmate, and by whom;
  - describe the inmates' responses to the instructions given; and
  - detail the type of force used;
- whether or not the incident reports are consistent with:
  - each other;
  - any witness reports/statements;
  - video evidence (if available).

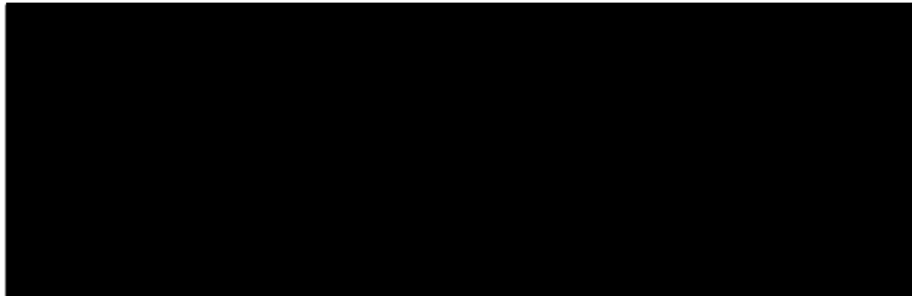
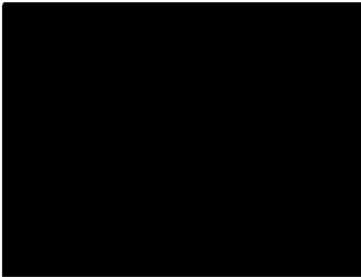
After completing their review the Reviewing Officer must record the results of their review in the incident Event Log in the IRM. When recording the result of their review in the incident Event Log, the reviewing officer must state:

- that incident reports and video were reviewed;
- the further action, if any, that is planned, including inmate disciplinary proceedings; and
- comment on whether the force used was **justified, reasonable and appropriate** given the circumstances.

In cases where the Reviewing Officer considers the force used to be unwarranted, excessive, unethical or there was other inappropriate behaviour on the part of any officer, a report must be sent immediately to the Professional Standards Committee. In such cases the Reviewing Officer must record in the IRM Event Log that the matter has been referred Pending Further Investigation (PFI).

Tacticians will review the incident Event Logs for every use of force in correctional centres and court cell complexes under their Assistant Commissioner's administration on a weekly basis to ensure that incidents have been reviewed by the Manager Security or other delegated senior manager. If the review has not been completed, they will email the General Manager requesting the incident be reviewed and the results recorded in the incident Event Log.

The Tactician will provide their Assistant Commissioner with details of use of force incidents that have not been reviewed. The Assistant Commissioner will liaise with the General Manager to expedite the review.





## Commissioner's Instruction

No: 11/2011

To: Board of Management  
Regional Executive Directors  
General Managers/ Superintendents  
Area/ District Managers, Community Offender Services  
Director Offender Policy  
Director Corporate Strategy

### For the information of all staff

Subject: Removal of Assets from Operational or Non Operational Centres

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### **PREAMBLE**

This Instruction is issued in accordance with the provisions of Section 235B of the *Crimes (Administration of Sentences) Act 1999*. Commissioner's instructions amount to lawful orders. Any staff member who intentionally disobeys or disregards this instruction may be liable to disciplinary action under the *Public Sector Employment and Management Act 2002*.

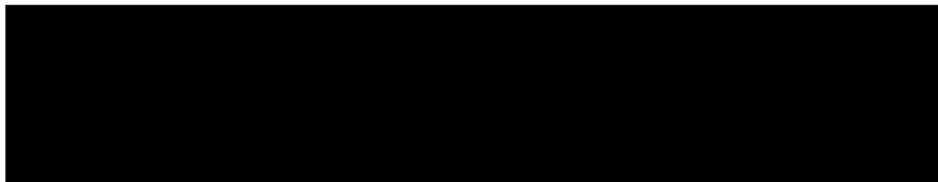
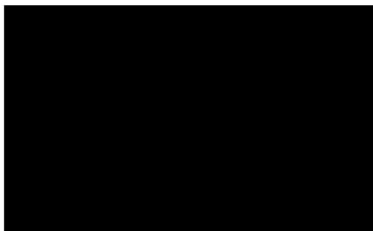
### **INSTRUCTION**

It has come to my attention that assets are being removed from non operational centres without the authorisation of the relevant General Manager.

These actions are to cease immediately.

Corrective Services NSW are accountable for all assets within centres operational or non operational and the unauthorised removal of these assets is considered, theft.

If you have a genuine request to acquire an asset that is no longer in use, applications must be made to the General Manager of the relevant centre.





## Commissioner's Instruction

No: 12 / 2011

To: *Board of Management  
Regional Executive Directors  
General Managers/Superintendents  
Directors, Area & District Managers Community Offender Services  
Director Offender Policy  
Director Corporate Strategy*

### For the information of all staff

Subject: **Provision of water, food, toilet and exercise breaks for inmates during transport**

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### **PREAMBLE**

This Instruction is issued in accordance with the provisions of section 235B of the *Crimes (Administration of Sentences) Act 1999*.

Commissioner's Instructions amount to lawful orders and any staff member who intentionally disobeys or disregards this Instruction, or is found to be negligent in the performance of their duties, may be liable to disciplinary action under the *Public Sector Employment & Management Act 2002*.

### **INSTRUCTION**

This instruction supersedes DCOMO 2011/97.

Inmates who are being transported in a CSNSW vehicle for any reason are to have access to water throughout their journey. On journeys longer than 2 hours water is to be provided by the correctional centre or court/police cell complex from which the inmate is being transported. On shorter journeys, inmates may bring their own bottles of water. On long haul journeys of more than 3 hours, inmates are also to be provided with food, toilet and exercise breaks at pre-arranged locations.

## **Responsibilities of General Managers, Managers of Security and Officers in Charge, Court Cell Complexes**

General Managers, Managers of Security and Officers in Charge Court Cell Complexes are to ensure that:

1. Inmates who are being transported for 2 hours or more are provided with 600 ml bottled water immediately prior to the escort, regardless of the duration of the trip. (On shorter trips inmates are to be permitted to bring their own water bottles with them.)
2. Inmates who are being transported for 3 hours or more are to be provided with food at the commencement of the journey; and thereafter at the commencement of each following stage of the journey which is also more than 3 hours' duration. (Food packs are to be purchased through CSI for this purpose.)
3. Each inmate is individually issued their water (and food as required) as they board the transport vehicle.

## **Responsibilities of Transport Officers**

The primary responsibilities of Transport Officers are to ensure the security of inmates within the transport vehicle; and the safety of all occupants in the transport vehicle and the community.

In addition, Transport Officers also have a duty of care to ensure the continued well being and comfort of inmates that they are transporting. This includes ensuring that inmates have:

- access to water, and
- access to food, toilet and exercise breaks on long haul journeys of 3 hours or more in duration.

### Pre-Escort Vehicle Inspection

Before leaving base, Transport Officers are to:

- Ensure that there is a sufficient supply of water to issue inmates at a subsequent stage of a trip greater than three hours' duration, and a reserve supply of water in case the need arises.
- Inspect the vehicle to ensure its road worthiness and that the inmate compartments are clean;
- Test that all equipment intended to ensure inmate safety and well being is in good working order. This includes testing seatbelts, air conditioning, public address system (PA) or intercom (knock-up) in all compartments (where installed); CCTV in all compartments and the

monitor mounted on the dashboard to ensure that all areas of each compartment can be satisfactorily observed; and

- Complete the vehicle inspection check list as a record of this inspection.

**No** transport vehicle is to be used to transport inmates if the air conditioning, CCTV and monitor are not working.

**No** transport vehicle is to be used for journeys outside the metropolitan area if the PA or intercom (knock-up) is not working.

If the vehicle is not considered to be roadworthy and/or any inmate safety/wellbeing equipment is not in good working order, Transport Officers are to report this to a Commissioned Officer or Officer in Charge, and obtain a replacement vehicle.

However, in the Sydney metropolitan area, if a replacement vehicle is not available at short notice, a vehicle without an operating PA or intercom system may be used. A replacement vehicle is to be arranged as soon as practicable so that the defective vehicle can be removed from service until the fault is repaired.

In any case where a vehicle without an operating PA or intercom system is used, the Co-Driver is required to maintain continuous monitoring of the inmates within each compartment to ensure the well being of all inmates.

### Boarding of Inmates

In addition to their duties in relation to ensuring the appropriate authorities exist for the escort of inmates; searching of inmates and accepting responsibility for any inmate property being transported, Transport Officers are to ensure that correctional centres/court cell complexes have issued inmates water, and food as required for any journeys longer than three hours. (Where this has not occurred, Transport Officers are to report this to the Superintendent Operations.)

Transport Officers are also to direct each inmate boarding the transport vehicle to fasten their seatbelts for the duration of the journey.

### During the journey – Responsibilities of the Co-Driver

The Co-Driver on any transport vehicle has the primary responsibility for the duty of care of inmates within the vehicle during the journey. The Co-Driver is also responsible for monitoring the environment in and around the vehicle to assist the Driver to identify any traffic hazards or security threats.

The Co-Driver is to:

- Monitor and maintain an awareness of the environment around the vehicle to identify any traffic hazards or security risks;
- Maintain observations of the CCTV monitor and each compartment of the vehicle to ensure the well being and security of each inmate within the vehicle;
- Record their observations of the inmates in each compartment every 20 minutes on the newly developed "Escort Observation Record";
- Respond to any "knock-ups" via the intercom, and to record the issue and the response on the "Escort Observation Record";
- In vehicles where there is no intercom system, use the PA system in the first instance to respond to any attempts by inmates within the compartments to attract their attention by yelling or kicking the vehicle. Officers are not to assume that are simply being disruptive, but are to investigate the cause of this behaviour in order to ensure that there is no threat to the well-being of any inmate on the vehicle.
- Obtain a response (using the PA or intercom system) from any inmate who is observed lying down, who cannot be observed in the CCTV monitor or about whom inmates on the vehicle are indicating concern.
- Seek immediate direction from the Commissioned Officer (Officer in Charge) at base if any inmate cannot be roused or observed, appears to be suffering distress or if there is any apparent security breach within the inmate compartments of the vehicle.

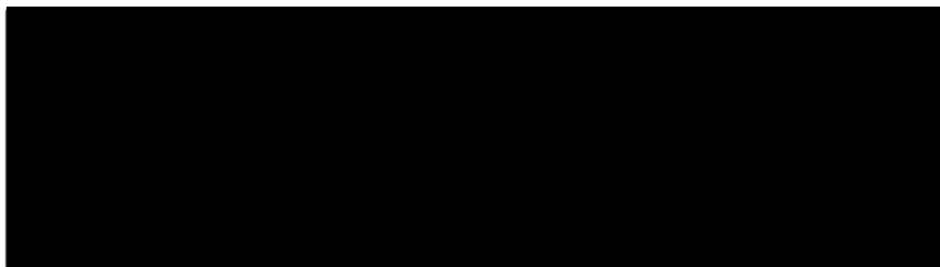
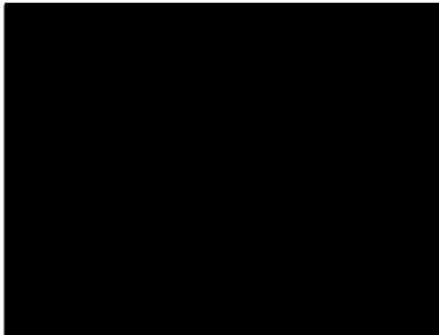
#### During the journey – Responsibilities of the Driver

The primary responsibility of the Driver is to drive in a safe and courteous manner that maintains the safety and well being of all staff and inmate passengers and public respect for CSNSW.

The Driver is to:

1. Be alert to any safety or security risks during the trip and to drive accordingly;
2. Drive in a manner that minimises the discomfort experienced by inmates;
3. Stop at the designated locations on journeys of 3 hours or longer to provide inmates with toilet and exercise breaks; and

4. Comply with emergency/contingency response Standard Operating Procedures and the directions of senior staff in the event that a vehicle must make an unscheduled stop during a journey to ensure the well-being of inmates (or for any other reason). Security must be maintained during any unscheduled stops to ensure the ongoing protection of staff and the community.







## Commissioner's Instruction

No: 13 / 2011

To: *Board of Management  
Regional Executive Directors  
General Managers/Superintendents  
Directors, Area & District Managers Community Offender Services  
Director Offender Policy  
Director Corporate Strategy*

### For the information of all staff

Subject: Management of court/police cell locations

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#### **PREAMBLE**

This Instruction is issued in accordance with the provisions of section 235B of the *Crimes (Administration of Sentences) Act 1999*. Commissioner's Instructions amount to lawful orders and any staff member who intentionally disobeys or disregards this Instruction, or is found to be negligent in the performance of their duties, may be liable to disciplinary action under the *Public Sector Employment & Management Act 2002*.

#### **INSTRUCTION**

To ensure consistency of operations between court/police cell locations, the Assistant Commissioner, Security and Intelligence, through the General Manager Court Escort Security Unit, is responsible for coordinating operations, policy and procedures.

A draft Memorandum of Understanding between CSNSW and NSW Police outlines CSNSW obligations in relation to the acceptance of offenders from NSW Police and their management whilst in CSNSW custody.

General Managers are not to issue any local directions regarding operations, policy or procedures in court/police cell complexes without first consulting with the Assistant Commissioner Security and Intelligence. In addition to ensuring consistency between locations, this will ensure that local decisions do not have unforeseen implications for other locations or NSW Police.

Accordingly, General Managers and Officers in Charge of court/police cell locations are to ensure that the following directions are complied with, and to rescind any conflicting local directions:

1. No offender suffering from a serious observable injury or illness is to be accepted by CSNSW staff unless proper medical attention has first been obtained (by Police) and/or the offender has been evaluated by a medical practitioner (or other person qualified to make the necessary medical evaluation) as being fit to be retained in custody at a police station.

Court/police cell staff are not to refuse to accept offenders on the grounds of mental health issues, nor to require Police to obtain a mental health clearance before accepting any offender.

2. Where an offender is grossly intoxicated or affected by drugs, or suspected to be so intoxicated or affected by the senior correctional officer on duty, the Police will ensure that the offender is medically examined to determine their fitness to be transferred into Corrective Services' custody at a police station.
3. Staff in the metropolitan area are not to refuse offenders "outside their catchment areas" in accordance with Commissioners Memo 2009/58.
4. No restrictions (except for those detailed in points 1 and 2 above) are to be placed on the reception of Form 7 inmates. Staff in 24 hour court/police cell locations are required to accept Form 7 inmates 24 hours per day, 7 days per week.
5. Under no circumstances are court/police cell location staff to refuse an inmate from Police outside of these guidelines.
6. In any case, before refusing to accept any offender from Police, the Senior Correctional Officer on duty is to contact CESU "One Post" on [REDACTED] to obtain advice from the CESU Manager of Security or General Manager.

(Note – CESU is staffed 24 hours per day, 7 days per week.)

