

Custodial Operations Policy and Procedures

10.7 Visits by Diplomatic, Consular and Foreign National Officials

Policy summary

CSNSW ensures that foreign national inmates are informed about, and provided access to visits from their diplomatic or consular representatives.

CSNSW ensures inmates who are refugees or stateless persons are informed about, and provided access to visits from authorised organisations interested in protecting their rights.

Foreign national officials may be given approval to visit a correctional centre by the Commissioner.

Management of Public Correctional Centres Service Specifications

<i>Outcome</i>	Dignity and Respect
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Date of Effect:	
Next Review Date:	
File Reference:	D17/354208
Version number:	Version 1.0

Scope

This policy applies to inmates in all correctional centres in NSW, and all CSNSW employees

Related Documents

Crimes (Administration of Sentences) Act 1999

Crimes (Administration of Sentences) Regulation 2014

Management of Public Correctional Centre Outcome Specifications

Related Custodial Operations Policy and Procedures

10.1 General Visitor Controls and Conditions

10.3 Visitors to inmates

Forms and Annexures

Nil

Definitions

COPP	Custodial Operations Policy and Procedures
CSNSW	Corrective Services New South Wales
OIMS	Offender Integrated Management System
SAPO	Service and Programs Officer

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1 Policy

1.1 Overview

Inmates who are not Australian citizens have a statutory right to receive visits from their country's diplomatic or consular representative.

Inmates, who are refugees or stateless persons, have a statutory right to a visit from a representative, of a non- government organisation that the Commonwealth Government recognises as interested in protecting the rights of such inmates.

These visits are authorised under clause 83 of the ***Crimes (Administration of sentences) Regulations 2014***. Diplomatic, consular and humanitarian visits are additional to an inmate's entitlement to normal contact visits.

1.2 Privacy and confidentiality

The privacy and confidentiality of information about an inmate's citizenship must be protected. Not all inmates may want their country's diplomatic or consular mission to know their name, or be told about their imprisonment. Consequently, citizenship information about an individual inmate is not to be released without the inmate's written consent.

1.3 Identification requirements

Diplomatic or consular representatives wishing to visit inmates must provide evidence of their appointment and provide official identification. Similarly, representatives from approved organisations must provide evidence from the organisation that employs them, or prove their relationship to the organisation.

1.4 Foreign National Officials

Officials and staff of correctional centres from other countries may request to visit a correctional centre in NSW. Visits from officials from correctional centres in other jurisdictions or other countries must be made in writing to the Office of the Commissioner.

The request should be on official letterhead and should outline:

- the reason for the visit
- the area or centre they specifically wish to visit
- the number of people in the group
- the name and status of the group
- the date and duration of the proposed visit.

Representatives of the Office of the Commissioner will liaise with the group making the request, and with the Governor of correctional centres nominated as part of the visit.

2 Procedures

2.1 Access to inmates

The office of diplomatic, consular and humanitarian representatives should write to the Governor of a correctional centre indicating their intention to visit. Details regarding the visit should be outlined in respect of the proposed visit.

The visiting representatives of the office should be identified in the request.

Ample time should be given to allow for all inmates of that nationality or category to be advised of the intended visit of the representative. Inmates making a request wishing to see the diplomatic, consular or humanitarian visitor, should submit their name to the officer authorised by the Governor. The authorised officer will notify the diplomatic, consular or humanitarian representative of the names of the inmates requesting to see them.

If at any time, an inmate makes a request to see or speak to an officer from a diplomatic or humanitarian mission, the request should be made through the Services and Programs Officer referral system in OIMS. The officer authorised by the Governor will then make the request to the appropriate diplomatic or consular mission/office on behalf of the inmate. The inmate will then be advised of the outcome.

The Governor will decide where these visits will take place. Where possible, visits between diplomatic and consular visitors and inmates should occur in a separate area with a reasonable amount of privacy. However, the visits must be supervised.

Diplomatic, consular and humanitarian visits are in addition to the inmate's normal entitlements; no time frame is applicable except that set for normal centre routine. The Governor of the correctional centre may approve a visit outside normal visiting hours.

Diplomatic, consular and humanitarian officer visits are subject to usual correctional centre and visitor protocols (**refer to COPP section 10.1 visitor controls and conditions**). These visits will be recorded in the OIMS by the supervising officer.

3 Document history

Version	Date	Reason for Amendment
1.0		Initial publication (<i>Replaces section 15.16 of the superseded Operations Procedures Manual</i>)