6.7 Condoms and Dental Dams

Policy Summary

In NSW correctional centres inmates must have access to free condoms (for males), dental dams (for females), and lubricant through dispensing machines installed in the centres, and/or by other means permitted by the Governor.

Any inmate misusing or improperly disposing of condoms or dental dams may be charged with a correctional centre offence, reported to Police.

Management of Public Correctional Centres Service Specifications

Outcome	Decency and Respect Safety and Security

DRAFT

Scope

This section applies to all correctional centres and other facilities administered by or on behalf of Corrective Services NSW (CSNSW).

It also applies to all CSNSW employees, and where relevant to other personnel such as Justice Health and Forensic Mental Health Network, contractors, subcontractors, and visitors.

Related Documents

Crimes (Administration of Sentences) Act 1999

Crimes (Administration of Sentences) Regulation 2014

Management of Public Correctional Centre Outcome Specifications

Work Health & Safety Act 2011

Work Health and Safety Regulation 2011

Related COPP Policy and Procedures

6.6 Notifiable Diseases

6.5 Infectious and Communicable Diseases

14 Inmate Misconduct and Discipline

Definitions

Authorised Officer	The officer authorised by the Governor to perform the functions set out in this part of the Custodial Operations Policy and Procedures.
COPP	Custodial Operations Policy and Procedures
CSI	Corrective Services Industries
CSNSW	CSNSW
Dental dam	A thin latex square used to prevent the spread of sexually transmissible infections particularly during oral sex.
HIV	Human Immunodeficiency Virus
LOP	Local Operating Procedure

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1 Condoms and Dental Dams

1.1 Supply of Condoms and Dental Dams

To minimise the risk of Human Immunodeficiency Virus (HIV) and other sexually transmitted infections, inmates need to have access to condoms, lubricant and dental dams.

Clause 59 of the *Crimes (Administration of Sentences) Regulation 2014* requires that inmates have access to condoms, lubricant, and dental dams free of charge through dispensing machines installed in the centres, and/or by other means permitted by the Governor. These must be available to inmates without interference of any kind. Any physical barrier or threat of intimidation by any person is deemed unacceptable and must be dealt with in the appropriate manner.

Inmates who deliberately or maliciously damage the dispensing machines or the products in it, or who physically prevent, or threaten or intimidate another inmate in regard to accessing a dispensing machine or its products may be dealt with as though they have committed a correctional centre offence **(see COPP section *14.1 Inmate Discipline*)**.

The products are provided to inmates in cardboard packages containing one dental dam (for female inmates), or one condom (for male inmates), one packet of lubricant, one zip lock bag for disposal, and an information card on the proper disposal method for the condom/dental dam. Inmates must place any used condoms or dental dam in the disposal bag, and then in the original cardboard package, which is to be disposed of by the inmate into the domestic waste.

Condom, lubricant and dental dam supplies are to be ordered from CSI at Wellington Correctional Centre Technology and Assembly Business Unit by email to Welcctech1@justice.nsw.gov.au. The CSI staff at this unit may be contacted on (02) 6840 2898.

1.2 Procedures for Supplying Condoms and Dental Dams

	Procedure	Responsibility
1.	Implement a Local Operating Procedure (LOP) setting out procedures for ordering and regular checking/stocking of condom/dental dam supplies, and identifying authorised officers responsible for these procedures. In centres without a Corrective Services Industries (CSI) Industries Manager, the Governor will authorise another officer to be responsible for ordering supplies	Governor
2.	Order condom/dental dam supplies	CSI Industries Manager/ Authorised officer

1.3 Misuse or Improper Disposal of Condoms and Dental Dams

Inmates may be charged with a correctional centre offence, for improper disposal or misuse of a condom or dental dam. This includes:

- filling a condom with water or any other fluid or material
- using condoms/dental dams as a weapon or projectile against any person or property
- using condoms/dental dams to conceal contraband on either their person, property or cell area
- infecting or threatening to infect or contaminate another person with the contents of a condom/dental dam
- not properly disposing of used condoms/dental dams within a reasonable amount of time after use
- flushing condoms/dental dams down the toilet or sewerage system
- leaving a used condom/dental dam in a place where others may come into contact with it.

Officers are to immediately report the improper disposal or misuse of a condom/dental dam to the Governor in writing.

To avoid risk of infection, officers must ensure that they wear gloves if disposing of a used condom/dental dam or handling it as evidence. Officers who have open cuts or grazes and are not wearing gloves may be placed at risk.

If the incorrect disposal of a condom or dental dam places staff or inmates at risk of infection, or an inmate threatens to use a used condom/dental dam against a person, this is to be treated as a deliberate attempt to infect other people with a sexually transmissible infection, and the inmate may be placed in segregation. Such behaviour may result in the inmate being charged with a correctional centre offence or reported to the Police.

1.4 Procedures following Misuse or Improper Disposal of Condoms and Dental Dams

Governors must ensure that procedures in **COPP *6.5 Infectious and Communicable Diseases* and *6.6 Notifiable Diseases*** are implemented by staff and inmates involved in an incident with exposure to blood or body substances.

If the incorrect disposal or misuse of a condom or dental dam places staff or other inmates at risk of infection, or an inmate threatens to use a used condom/dental dam against a person, the following procedures must also be implemented:

	Procedure	**Responsibility**
1.	Wear latex gloves and place condom/dental dam in an exhibit bag	Authorised officer
2.	Prepare a *Misconduct Report* ***(refer to COPP section 13 Inmate Misconduct & Discipline)*** and immediately report the misuse of condom/dental dam to the Governor in writing. Both the report and exhibit should be given to the Governor	Authorised officer
3.	Submit a report as soon as possible to the relevant Director, Custodial Operations detailing the misuse/improper disposal	Governor

	Procedure	Responsibility
	of condom or dental dam	
4.	Report the matter to the Assistant Commissioner, Custodial Corrections.	Director, Custodial Operations

2 Document Information

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