



Mr Stewart Little
General Secretary
GPO Box 3365
SYDNEY NSW 2001

Your Ref: BT:mb

Dear Mr Little

Re: WHS issues – Penrith Hub and Satellites

I refer to your letter dated 30 October, 2019 and our meeting with Mr Trainor and Mr Sailosi on 26 September 2019. I apologise for the time taken to provide a response to your letter. As the issues raised involved work, health and safety concerns I engaged the Courts, Tribunals and Service Delivery (CTSD) Work, Health and Safety unit to assist with the response.

At the meeting with the PSA representatives we discussed the issues of officers working solo at Windsor, the limitations of the court building for modern day court sittings, security functions and issues with respect of dealing with custody matters.

As you are aware there is an annual allocated budget and staffing requirements are assessed within that budget and against a number of factors relating to the nature of the court building, jurisdictions, location, demographics, security data amongst other things.

There are a number of mitigation strategies in place at locations where officers are working solo. Strategies are but not limited to:

- Duress alarms
- CCTV
- GRN radios
- Satellite Phones (in areas where reception is a problem)
- Tactical training (refresher)
- Personal protective equipment
- Intelligence reports
- Relationships with stakeholders
- Additional staff (where accessed as appropriate)
- Support from the Operational Support Unit (OSU) (where assessed as appropriate)

It was acknowledged at our meeting that Windsor along with a number of court locations were not designed to meet current court requirements. These courts have however been brought up to the best standard possible having regard to heritage issues and layout. An important factor in addressing security concerns is understanding the risk factors at locations. A review of reported security incidents provides a rich history of behaviour and

issues at specific locations. There have been eight security incidents reported for Windsor Local Court for the period 8.3.2018 to the last reported incident on 29.11.1. The majority of these incidences relate to disruptive persons in the court precinct and directions to take persons into custody. There have been no reported incidences involving assaults on sheriff's officers.

All staff have been advised that we do not have a custody role and there is no expectation to take a person into custody. The Chief Magistrate's Office has provided advice to the judiciary that this practice is not to occur. The procedure that should be followed is that if the judicial officer is considering a custodial sentence they are to advise the court staff or sheriff to call the police prior to sentencing for police to be in attendance to take the person into custody. Officers have been advised that if a magistrate makes the direction they are to secure the person in the body of the courtroom in the dock with handcuffs and await the arrival of police. They are then to report that the direction was given so that information can be provided to the Chief Magistrate's Office.

As mentioned previously Windsor is an older building so facilities do not match those of modern court buildings. The OIC's are asked to consult with Registrars to achieve the best outcomes for both sheriff and court staff requirements. I understand that discussions have taken place in respect of the sheriff's requirements at Windsor and the Registrar has made his office available to sheriffs for changing purposes. Additionally, approved storage cases are available for secure storage of all personal protective equipment.

Sheriff's Officers are required to hold current first aid accreditation for the purposes of their roles as law enforcement officers in order to discharge their responsibilities in respect of deployment of OC spray. It is not an expectation for sheriff's officers to be the nominated first aid officer at any centre. Other arrangements apply for locations where the staffing numbers are less than 50.

If there are any remaining issues I am happy to for Standard Operating Procedures (SOP's) to be in place to guide the staff in relation to storage of appointments and personal protective equipment in a satellite context. Following recent IRC proceedings we have successfully prepared SOP's for similar arrangements at Port Kembla.

It appears that if the current security procedures in place are followed, together with appropriate attention to the available intelligence reports, officer safety and security can be managed.

Yours sincerely,

Tracey Hall PSM
Sheriff of New South Wales
16 March 2020