



Public Service Association of NSW

General Secretary Stewart Little **President** Kylie McKelvie

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Mr Peter Severin
Office of the Commissioner
Corrective Services NSW
GPO Box 31
Sydney NSW 2001

Email: ExecutiveServices@justice.nsw.gov.au

Dear Commissioner Severin

I am writing in regard to the second hostage situation which occurred at the Mid North Coast Correctional Centre (MNCC) on 19 December 2020 and to convey the numerous concerns raised by the POVB State Executive in respect to this and related issues.

On 20 December 2020, the MNCC was attended by PSA representatives:

- David Bartle (PSA Industrial Officer);
- Nicole Jess (Chairperson POVB);
- Darren King (Country Vice Chairperson);
- Natalie Howes (Country Vice Chairperson) and
- Trish O'Brien (Welfare Officer).

The MNCC have been unable to process the first hostage situation due the high level of incidents in the centre since the initial hostage incident on 12 May 2020.

The following issues have become apparent at the MNCC:

Information Relating to Hostage Incidents

When our representatives attended the MNCC, the feedback from the members on the floor was one of anger, frustration and they were extremely despondent.

Members voiced concerns that they have not received any feedback on the reviews, conducted after the first incident and have no knowledge of the findings and recommendations from Safe Work NSW. This lack of communication and transparency has not helped the anxiety of members, who feel they are being denied relevant information. They also stated they feel that CSNSW is hiding information that could be relevant to their safety and security.

Members do not feel the latest incident will be any different and this will only breed more distrust for the local management as well as the broader CSNSW management.

The PSA/POVB has not received any feedback from the first hostage situation and is concerned about why we there have now been two hostage incidents in the one centre. Therefore, we are requesting a meeting in the last two weeks of January or the first two weeks of February to discuss and be provided answers to the following:

- Details of the incident;
- Outcome of after action review from the Centre Management on both hostage incidents;
- Outcome of after action review from Police from both hostage incidents;

- Outcome of after action review from State Emergency Group from both hostage incidents; and
- Outcome of findings from Safe Work NSW from both hostage incidents.

Segregation Policy

Approximately 6 months ago, the POVVB Executive raised their concerns with the segregation policy and how managers are enforcing it. The POVVB Executive raised concerns that managers are revoking inmates too soon and simply moving the inmate.

On 3 June 2020, the issue of inmates being taken off segregation early and possibly against policy was also raised with Assistant Commissioner Carlo Scassera by email. It was highlighted that this was relevant to the first hostage situation.

The PSA/POVB Executive have the following concerns and would like answers provided:

- Inmates are assaulting staff, being placed on segregation and then being moved to another centre without addressing any offending behaviours;
- CSNSW does not have enough programs for inmates to address their aggressive and violent issues;
- Inmates are being moved with no specific case plan to address the violent and aggressive behaviours and then being placed in general population;
- The segregation policy states that inmates can be moved to another centre on segregation. However, managers do not seem to do this. We feel that this puts the staff who are receiving the inmate at risk;
- Centres are not reviewing the amount of inmates that they have and how receiving more inmates with violent histories, may affect the good order and discipline of the centre;
- How many inmates are on ETI warnings?
- How are the above inmates being managed?
- What processes or policies are in place for management to deal with inmates that are on ETI warnings to ensure they have the resources and the ability to regress them, which in turn keeps staff and other inmates safe?

Independent Review

The PSA/POVB request an independent review of the segregation policy and ETI, EHR, EHSS, NSI and the following looked at:

- How managers are implementing the Segregation policy;
- Case plans for inmates on segregation and what plans are initiated when they are being revoked;
- How many inmates are being revoked prior to the expiry date of their segregation order?
- What resources should be in place for centres that are receiving inmates who are being revoked from segregation and then transferred?
- What programs are in place for inmates on ETI, HER, EHSS and NSI?
- Are the inmates on those programs being managed effectively?
- What is the process for regressing inmates?

Maloney and Barrett

The PSA/POVB have concerns regarding the management of inmate Maloney and Barrett. We are aware that Barrett's segregation for stabbing an inmate was revoked early. He was on a 14-day segregation order and it was revoked on day 12.

Maloney was received into CSNSW custody in June 2019 due to violence, possible ISIS ideology and gang related incidents in the juvenile system. He was assessed as not meeting the HRMU requirements.

On 13 November 2020, there was a report outlining that Maloney was violent and dangerous and was involved in assaults and standover incidents. From our understanding, he signed a Behavioural Management Plan on 23 November 2020 and there were subsequent incidents that occurred where he did not meet the requirements of the Behavioural Management Plan. Maloney was also given an ETI warning.

The PSA/POVB would like to discuss and be provided answers to the following:

- Why was Maloney's negative behaviour, which was against his management plan, not addressed?
- If an inmate is on an ETI and still behaviours negatively, what is the point of the warning? We would like this to be part of the independent review process.
- What measures were put into place to address Barrett's aggressive behaviour for stabbing an inmate? What was his case plan? Was he placed on a management plan? We would like to see the segregation review minutes as to why he was taken off?
- How many other inmates in CSNSW are on an ETI warning and how are they being managed?
- How many inmates have not been accepted for the HRMU in the last 6mths? Where are they located? How are they being managed? Are they on management plans?

Buprenorphine

The PSA/POVB were informed that the inmates involved in both hostage situations made demands for buprenorphine. We are aware that MNCC currently has over 130 inmates that are awaiting either assessment for the program or have been assessed as being eligible.

The PSA/POVB would like to discuss and be provided answers to the following:

- Is this number high only in MNCC?
- If it is, why is it so high?
- If it is only this centre, why is this the case?
- If it is not the only centre, how many inmates are waiting to be assessed or have been assessed as being eligible in other centres?
- How many of these inmates have alerts, incidents or any concerns re: violence to staff or inmates?
- What is CSNSW doing to address this issue so that there is not a third hostage incident in a centre?

Management of Misconduct Matters

Another issue that has been highlighted from attending the MNCC, is the concern that inmates are being appeased. Misconducts are not consistent and inmates are receiving items such as personal joggers.

Since benchmarking, misconducts are not required to be signed off by the Governor and members are saying that there is no consistency. Members believe that misconducts are not being actioned.

There is no audit situation to ensure consistency and to ensure that misconducts are being actioned by managers. Prior to benchmarking, there was a record of all misconducts prior to them being actioned. Since benchmarking misconducts are only recorded on ERMS after they have been actioned. Staff now send or print the misconduct to the Functional Manager.

However, many centres are stating they do not get any feedback in regards to their misconducts.

Inmates can purchase joggers on buyups and these joggers have been approved by a podiatrist and meet the same standards as joggers similar to ASIC standards. The PSA/POVB are hearing that inmates have joggers in centres with labels like GUCCI, Louis Vuitton and other well-known brands. The PSA/POVB are concerned that these types of joggers have been approved outside of CSNSW policy. The approval of personal items such as this demeans the good order and discipline of the centre, and is used as currency in centres.

The PSA/POVB have the following concerns that they would like answers to:

- What process for misconducts are being conducted in each centre? It should be a consistent process across the state;
- How many inmates have their own personal joggers?
- How were these personal joggers approved?
- Have they been approved by a podiatrist that works for JH as per CSNSW policy?
- We request CSNSW do an audit in each centre of inmates with personal joggers and how they were approved.

In Conclusion

The PSA/POVB acknowledge that there are significant points to address. However, we believe that the questions and points will go a long way in being transparent in both hostage situations. They will also go a long way in addressing the concerns of the membership who believe that processes and policies are being overlooked to appease inmates but goes a long way in reducing safety and security in centres.

Please contact my Executive Assistant, Sandra Lockey, on 92200982 to arrange a mutually convenient time.

Yours sincerely



Stewart little
General Secretary