



Inspector of
Custodial Services

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Inspection of Goulburn
Correctional Centre and the
High Risk Management
Correctional Centre 2021



Inspector of Custodial Services

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Inspector's overview

The Goulburn Correctional Complex, comprising Goulburn Correctional Centre (Goulburn CC) and the High Risk Management Correctional Centre (HRMCC), was last inspected in 2016 as part of the themed inspection report focused on the management of radicalised inmates in NSW.¹ The inspection detailed in this report considered all aspects of the Goulburn Correctional Complex, with a focus on the treatment and conditions of people in custody and staff professional practice.

The Goulburn Correctional Complex is among the more challenging locations in the NSW correctional system. This is due to a combination of the complexity of its inmate population, which spans the breadth of security classifications and has a large proportion of inmates requiring protective custody, and its infrastructure, which consists of some of the oldest and newest parts of the custodial estate.

Goulburn Correctional Complex has a reputation across the NSW correctional system for holding the most difficult and dangerous inmates. As a result, we encountered some difficulties in carrying out our inspection. Primary among these was our ability to speak with inmates, particularly those in the maximum security area of Goulburn CC who spent the bulk of their time out of cells in exercise yards adjoining the accommodation units. Speaking with inmates in the locations where they are held – be that a yard, work location, accommodation common area, or cells – is not only a routine part of an inspection, but is essential for fulfilling the mandate and functions of the Inspector of Custodial Services, as determined by the NSW Parliament.

My entry into an exercise yard, with my Aboriginal colleague, to speak with a group of Aboriginal men exacerbated existing tensions between staff and management. Although senior management were in attendance and had no objection to us entering the yard and speaking confidentially with the men, a group of correctional officers strongly protested. The most unusual aspect of this situation was the response this elicited from staff. It became clear they had not witnessed anyone enter an exercise yard to speak with people in custody. Staff had become conditioned to avoid entering yards and interacting with inmates unless they were responding to an incident. Due to subsequent industrial action, we were unable to complete the final day of the inspection and the Goulburn Correctional Complex was locked down for multiple days. While this was disappointing, I want to emphasise that many of the staff we engaged with during our inspection were professional, open and facilitated our work.

This inspection took place during the COVID-19 pandemic. Although Goulburn Correctional Complex had remained free of COVID-19 at the time of inspection, its operation was impacted by measures implemented to prevent the introduction and transmission of COVID-19. In particular, these measures impacted visits and group activities such as programs and education. Since our inspection in March 2021 further restrictions were imposed on correctional centres due to widespread community outbreaks of COVID-19. We recognise the challenge of delivering rehabilitation activities and correctional services within this context.

The first recommendation of this report is that Corrective Services NSW (CSNSW) develop a plan for the closure of Goulburn CC's maximum security accommodation units and yards. As outlined in the report, this area opened in 1884 making it among the oldest custodial infrastructure still in use in NSW. It is difficult to maintain and operate and it would be impossible to refurbish it to a satisfactory standard. It cannot provide conditions consistent with a modern correctional environment and conducive to offender rehabilitation, making it unfit-for-purpose. Moreover, as we witnessed, custodial staff do not feel safe working in this environment, and this in turn makes it an unsafe environment for inmates and staff.

¹ Inspector of Custodial Services, *The Management of Radicalised Inmates in NSW* (Report, May 2018).

I do not make this recommendation lightly and ultimately it is a matter for the NSW Government. However, due to its age, the need to close the maximum security area of Goulburn CC seems inevitable. Particularly in the context of the significant investment that has been made to construct new maximum security beds in NSW in recent years. Planning for this change is essential for ensuring suitable alternative placements for inmates with protection or association issues and for providing staff with some clarity and certainty about their futures.

Fiona Rafter
Inspector of Custodial Services
June 2022

Glossary of terms and acronyms

Aboriginal	'Aboriginal' when used in this report is inclusive of Aboriginal and Torres Strait Islander people.
AVL	Audio visual link
CC	Correctional Centre
CCTV	Closed-circuit television
CMU	Case management units
COPP	Custodial Operations Policy and Procedures
COVID-19	Coronavirus disease 2019, caused by the SARS-CoV-2 virus
CSI	Corrective Services Industries
CSNSW	Corrective Services NSW
EHRR	Extreme high risk restricted inmate
EHS	Extreme high security inmate
EQUIPS	Explore, Question, Understand, Investigate, Practice and Succeed programs
HRMCC	High Risk Management Correctional Centre
IAT	Immediate action team
ICS	Inspector of Custodial Services
ICS Act	<i>Inspector of Custodial Services Act 2012</i>
ICS Standards	<i>Inspector of Custodial Services' Inspection Standards for Adult Custodial Services in New South Wales</i>
IDC	Inmate development committee
JH&FMHN	Justice Health and Forensic Mental Health Network
Mandela Rules	The United Nations Standard Minimum Rules for the Treatment of Prisoners
MPU	Multipurpose unit
NSI	National security interest inmate
OMCG	Outlaw motorcycle gang
OS&P	Offender services and programs
PATHS model	Pathway to the Assessment and Treatment of High Security model
SMAP	Special management area placement
SORC	Serious Offenders Review Council

Executive summary

Goulburn Correctional Complex consists of two correctional centres: Goulburn Correctional Centre (Goulburn CC) and the High Risk Management Correctional Centre (HRMCC). Goulburn CC has a maximum security area that opened in 1884 and holds sentenced and unsentenced male inmates. It also has a minimum security area that opened in 1961 and holds sentenced male inmates. The HRMCC opened in 2001 and was designed to hold those sentenced and unsentenced inmates considered to require the highest level of security. In 2019, the HRMCC was expanded. The original HRMCC was refurbished and is now known as HRMCC Area 1 and a unit containing the segregation cells for Goulburn CC was repurposed as HRMCC Area 2.

Both Goulburn CC and the HRMCC were previously inspected in 2016 as part of a thematic inspection on the management of radicalised inmates in the NSW correctional system. The inspection detailed in this report did not focus on a particular theme but rather considered all aspects of both correctional centres and the Goulburn Correctional Complex more broadly.

There were considerable differences in the physical environment across the separate parts of the Goulburn Correctional Complex. Generally, we found the HRMCC to be a functional and well-equipped high security facility, enhanced by recent refurbishments. In contrast, the maximum security area of Goulburn CC is one of the oldest pieces of custodial infrastructure operating in NSW and is no longer fit-for-purpose. In particular, the cells were dark, poorly ventilated, susceptible to extreme temperatures, did not contain showers, and had ligature points. The minimum security area was dilapidated and in need of refurbishment. Further, Goulburn CC's maximum and minimum security cells, should generally be single occupancy and should not hold inmates who are aged, frail or have physical mobility concerns.

During the inspection we observed how perceptions of the inmates held in both Goulburn CC and the HRMCC informed how staff understood the role and function of these facilities and influenced their operations. There appeared to be a widespread view among Goulburn CC staff and inmates that many of the highest risk inmates in NSW were placed in its maximum security area, sometimes as punishment for incidents at other correctional centres. Goulburn CC does hold inmates convicted of extremely serious offending or with histories of poor institutional conduct or both. However, we found that the assumption this was broadly representative of all inmates held in Goulburn CC was not accurate and used to justify poor practice.

In Goulburn CC, maximum security inmates were organised into a complex system of yard groupings. Some of these groups were based on the racial and cultural backgrounds of inmates. We found this practice to be discriminatory. This system has been in place for around 30 years and there was a belief among some staff and inmates that this was the only way to safely manage Goulburn CC's inmate cohort. It is difficult to know whether any attempt to dismantle this system would be supported by staff and inmates, and therefore how risky this might be.

Across both Goulburn CC and the HRMCC we observed there was an insufficient focus on dynamic security. Some correctional officers were reluctant to engage with inmates and there seemed to be little awareness of how dynamic security enhances correctional centre security. Conversely, we found that some physical and procedural security processes required review, such as improving let-go and lock-in processes and inmate supervision, particularly in the Goulburn CC maximum security yards.

Generally, inmates held at the HRMCC are considered by the Commissioner of CSNSW to pose a special risk to national security, or good order and security, and consequently have AA or A1 security classifications and an additional security designation. It is therefore not surprising that incidents occur, particularly when a

number of these inmates also have a range of complex needs that can impact their behaviour. However, we were concerned to find HRMCC inmates, who were already subject to the most restrictive custodial regime in the highest security facility in NSW, in segregated custody. We struggled to understand how this was a necessary or useful approach for managing this cohort. When HRMCC Area 1 inmates were placed on a segregation order they were often also moved to a separate unit, a move that could result in force being used. This posed a safety risk not only to inmates but also to staff.

Despite many improvements in HRMCC Area 1 since our previous inspection, including greater access to exercise, phone calls and visits, inmates still had no access to programs, work or education. The Pathway to the Assessment and Treatment of High Security (PATHS) model had been established to provide suitable HRMCC Area 1 inmates with greater access to rehabilitation and reintegration activities through placement in HRMCC Area 2. However, despite significant investment by CSNSW, the PATHS model had not been fully implemented at the time of the inspection. CSNSW was undertaking a review of its implementation.

One of the reasons for this lack of progress could be that the segregation cells for Goulburn CC were located in HRMCC Area 2. This was clearly causing confusion for staff as to the purpose of HRMCC Area 2 and seemed to be a barrier to implementing a less restrictive custodial regime in which to facilitate the PATHS model. The location of the segregation cells meant that inmates from Goulburn CC subject to a segregation or a separation order were effectively placed in HRMCC Area 2. These inmates did not have AA or A1 security classifications or a security designation as is usually the case for inmates placed in the HRMCC. Some were at risk from themselves or others. We were advised that a new segregation unit is being built for Goulburn CC to address this issue.

Goulburn Correctional Complex was experiencing significant staffing difficulties at the time of the inspection. High levels of sick leave and subsequent staff shortages were having significant impacts for inmates due to lockdowns and reduced time out of cells. This not only restricted access to phones and visits but also resulted in no access to basic amenities like fresh air, exercise and showers. We also heard allegations of discrimination, harassment, and bullying between staff and became aware of a number of complaints being investigated by CSNSW's Professional Standards Branch. We both heard about and directly observed interactions between staff and staff and inmates that lacked professionalism. It was evident to us that the development of respectful relationships between staff, and between staff and inmates, needs to be a priority of Goulburn Correctional Complex management. The resolution of complaints by staff alleging misconduct by other staff needs to be prioritised by CSNSW.

As a consequence of some of these issues, access to inmates was a significant barrier for staff facilitating work, programs and education or providing health and psychology services. In Goulburn CC, although we were impressed with the industries in operation, we noted that some inmates in maximum security had almost no access to work. Challenges with moving inmates from the maximum security units to the building where programs, psychology, education and chaplaincy staff were located, inhibited the delivery of these services. This was also the case for the movement of inmates to the main health centre.

The 2016–17 NSW Budget included an investment of \$3.8 billion over four years to create around 7,000 new beds in NSW correctional centres.² This has included the construction of new maximum security correctional centres and the expansion of existing maximum security facilities.³ This infrastructure was constructed with a view to moving inmates out of obsolete and overcrowded accommodation.⁴ Given the

2 NSW Government, 'NSW Budget: New Prisoner Beds, Record Corrections Funding' (Media Release, 16 June 2016).

3 'New Prisons: Completed Projects', *Corrective Services NSW* (Web Page) <<https://correctiveservices.dcj.nsw.gov.au/csnsw-home/correctional-centres/new-prisons/completed-projects.html>>.

4 'Better Prisons', *Corrective Services NSW* (Web Page) <<https://correctiveservices.dcj.nsw.gov.au/csnsw-home/correctional-centres/better-prisons.html>>.

condition and age of the infrastructure in the maximum security area of Goulburn CC, and the substantial investment in additional maximum security beds across the NSW correctional system, plans should be developed and implemented for the decommissioning of the 1800s-era maximum security accommodation units and yards.

Recommendations

The Inspector recommends:

1. Corrective Services NSW develop a plan for the closure of Goulburn Correctional Centre's maximum security accommodation units and yards.
2. Corrective Services NSW make cells in Goulburn Correctional Centre single occupancy. Inmates should only share a cell under special circumstances, as assessed on a case-by-case basis.
3. Corrective Services NSW refurbish the minimum security area of Goulburn Correctional Centre.
4. Goulburn Correctional Centre review cell placements and ensure these comply with *Custodial Operations Policy and Procedures – 5.2 Inmate Accommodation* and the *Cell Placement Decision Guide*.
5. Corrective Services NSW cease placing aged and frail inmates or inmates with physical mobility concerns in Goulburn Correctional Centre.
6. Goulburn Correctional Centre increase the number of correctional officers in maximum security equipped with body cameras.
7. Goulburn Correctional Centre increase supervision of inmates in the maximum security yards.
8. Goulburn Correctional Centre review let-go and lock-in procedures for maximum security inmates to increase time out of cells.
9. Corrective Services NSW prioritise the timely investigation and resolution of complaints made by staff alleging misconduct by other staff.
10. Corrective Services NSW prioritise secondment opportunities for Goulburn Correctional Complex custodial staff.
11. The Justice Health and Forensic Mental Health Network provide for an Aboriginal health worker position at Goulburn Correctional Complex or ensure there is a process by which Aboriginal patients can access an Aboriginal health worker when needed.
12. The Justice Health and Forensic Mental Health Network prioritise the recruitment of mental health nurses for the Goulburn Correctional Complex.
13. Goulburn Correctional Complex custodial staff and Justice Health and Forensic Mental Health Network staff work to improve the level of access Justice Health and Forensic Mental Health Network staff have to patients.
14. Goulburn Correctional Centre custodial staff and Justice Health and Forensic Mental Health Network staff develop a process for the efficient distribution of medications that ensures patient privacy and confidentiality.
15. Goulburn Correctional Centre ensures all current and newly arriving inmates have the full allocation of clothing and linen provided by the *Custodial Operations Policy and Procedures*.
16. Goulburn Correctional Complex issue winter jackets and doonas to all inmates as part of their standard clothing and bedding entitlements.
17. Corrective Services NSW review the location and suitability of Goulburn Correctional Centre's AVL suites.
18. Goulburn Correctional Complex increase the use of body scanners to search inmates.
19. Goulburn Correctional Complex implement a quality assurance process for photocopied inmate mail.
20. Corrective Services NSW install inmate telephones in inmate work areas at Goulburn Correctional Centre.

21. Goulburn Correctional Centre ensures that meetings of the maximum security inmate development committees occur in an appropriate location.
22. Goulburn Correctional Centre improve transparency regarding the resolution of items raised by its inmate development committees.
23. Goulburn Correctional Complex require all staff to complete Aboriginal Cultural Awareness training.
24. Goulburn Correctional Centre improve inmate access to the staff and services located in G Block.
25. Goulburn Correctional Centre establish a yard or yards grouping inmates who are or who want to be employed.
26. Goulburn Correctional Centre increase access to education for inmates, particularly those held in maximum security.
27. Corrective Services NSW cease using the High Risk Management Correctional Centre to hold inmates from Goulburn Correctional Centre and other correctional centres subject to segregation and separation orders.
28. Goulburn Correctional Complex review physical and procedural security to improve efficiency and consistency and improve dynamic security practices.
29. The High Risk Management Correctional Centre resume using the day rooms.
30. Corrective Services NSW's Use of Force Committee review all uses of force in the High Risk Management Correctional Centre.
31. Corrective Services NSW monitor staff adherence to the daily routine and provide sufficient staff to prevent lockdowns caused by staff absences.
32. Corrective Services NSW cease the practice of strip searching inmates before and after a non-contact visit, amending relevant policy where necessary.
33. The High Risk Management Correctional Centre increase inmate phone access to legal representatives and the Ombudsman.
34. Corrective Services NSW review current chaplaincy resources for Muslim inmates in the High Risk Management Correctional Centre to ensure these are adequate to meet demand.
35. The High Risk Management Correctional Centre review its exercise and association policy to ensure equitable access to exercise and associations.
36. Corrective Services NSW ensure that inmates in the High Risk Management Correctional Centre Area 1 have access to activities and services such as education and a library.
37. This report is made public immediately upon being tabled in NSW Parliament, in accordance with section 16(2) of the *Inspector of Custodial Services Act 2012*.

Note: Recommendations using the term Goulburn Correctional Complex apply to both Goulburn Correctional Centre and the High Risk Management Correctional Centre.

Goulburn Correctional Complex profile

Location

Goulburn Correctional Complex is located on the land of the Gundungurra people on Maud Street in Goulburn, approximately 197 kilometres south-west of Sydney.

History

Goulburn Correctional Complex consists of two separate correctional centres, Goulburn Correctional Centre (Goulburn CC) and the High Risk Management Correctional Centre (HRMCC). In this report, use of the term Goulburn Correctional Complex refers to both Goulburn CC and the HRMCC.

The maximum security area of Goulburn CC opened in 1884, making it one of the oldest correctional centres operating in NSW.⁵ The minimum security area of Goulburn CC is newer and opened in 1961.⁶

The HRMCC was purpose-built to hold inmates considered to require the highest level of security and opened in 2001. In 2019, the HRMCC was expanded to consist of two areas. The original facility (HRMCC Area 1) was upgraded and Goulburn CC's multipurpose unit (MPU) was refurbished and redesignated as part of the HRMCC (HRMCC Area 2).⁷

Function

Goulburn CC holds male inmates and has maximum and minimum security areas. The maximum security area holds sentenced and unsentenced inmates. At the time of the inspection, around half the capacity of the maximum security area was for special management area placement (SMAP)⁸ or protection inmates, and the other half was for 'normal discipline' inmates, that is those inmates not requiring protection or subject to a segregation or separation order. The minimum security area held sentenced, normal discipline inmates, however plans were in place to change this inmate cohort to protection inmates following the inspection.

The HRMCC holds sentenced and unsentenced inmates with AA or A1 security classifications and/or a security designation.⁹ For this reason, it is known colloquially as 'supermax'.

At the time of the inspection, HRMCC Area 2 held inmates managed under the PATHS model, a structured and supervised process for motivated inmates formerly held in HRMCC Area 1 to gradually move into a less restrictive custodial regime. A separate section of HRMCC Area 2 was used to hold inmates from Goulburn CC or other correctional centres subject to a segregation¹⁰ or separation order.¹¹

5 James Semple Kerr, 'Goulburn Correctional Centre: A Plan for the Conservation of the Precinct and its Buildings' (Report, Department of Corrective Services, September 1994) 8.

6 James Semple Kerr, 'Goulburn Correctional Centre: A Plan for the Conservation of the Precinct and its Buildings' (Report, Department of Corrective Services, September 1994) 17.

7 Corrective Services NSW, *Countering Violent Extremism* (Web Page) <<https://correctiveservices.dcj.nsw.gov.au/csnsw-home/correctional-centres/new-prisons/countering-violent-extremism.html>>.

8 A special management area is a designated area for those inmates assessed as being vulnerable or at risk from other inmates in a normal discipline area of a correctional centre. Inmates subject to a special management area placement should have their status reviewed once every 12 months to ensure this placement remains relevant. See Corrective Services NSW, *Custodial Operations Policy and Procedures: 3.3 Special Management Area Placement* (version 1.3, October 2020).

9 Corrective Services NSW, *CSNSW Placement Guide – Male* (version 2.1, undated); Corrective Services NSW, *Custodial Operations Policy and Procedures – 3.5 HS, EHS, EHRR, NSI, AA and Cat 5* (version 1.7, August 2015) 8. Definitions of security classifications and security designations can be found in *Crimes (Administration of Sentences) Regulation 2014* cls 12, 15–16.

10 *Crimes (Administration of Sentences) Act 1999* s 10.

11 *Crimes (Administration of Sentences) Act 1999* s 78A.

Capacity

At the time of the inspection, the maximum security area of Goulburn CC held up to 400 inmates across four units. Units 1 and 2 held protection inmates and Units 3 and 4 held normal discipline inmates. However, there were plans to reduce the total capacity of the maximum security area to 340 inmates as part of the Prison Bed Capacity Adjustment Program (PBCAP).¹² The minimum security area (Unit 5 or X-wing) held up to 120 inmates.

The HRMCC Area 1 held up to 75 inmates across three units (Unit 7, Unit 8 and Unit 9) and HRMCC Area 2 held up to 53 inmates across four decks (A-, B-, C- and D-decks).

Previous inspection by the Inspector of Custodial Services

Goulburn CC and the HRMCC were previously inspected in August 2016 as part of *The Management of Radicalised Inmates in NSW* inspection.

Inspection dates

Liaison visits: 2–3 February and 4 March 2021

Inspection: 21–26 March 2021

¹² The Prison Bed Capacity Adjustment Program involves removing short term and obsolete beds from the NSW correctional system as new infrastructure becomes operational. See Corrective Services NSW, *Better Prisons* (Web Page) <<https://correctiveservices.dcj.nsw.gov.au/csnsw-home/correctional-centres/better-prisons.html#Prison2>>.

Inspection process

The office of the Inspector of Custodial Services (ICS) was established by the *Inspector of Custodial Services Act 2012* (the ICS Act) in October 2013. The mandate of the office is to provide independent scrutiny of the conditions, treatment and outcomes for people in custody, and to promote excellence in staff professional practice. The Inspector is required to inspect each adult custodial centre at least once every five years and report on each such inspection to the NSW Parliament with relevant advice and recommendations.¹³

Inspection provides independent information gathering and analysis concerning what is working well and which areas require improvement. The inspection of Goulburn CC and the HRMCC focused on:

- custodial conditions, including safety and security
- treatment, care and wellbeing of inmates, including privacy
- rehabilitation of inmates, including programs, education, and preparation for release
- resources and systems, including the staffing and management of each correctional centre.

Two consultants, one with expertise in the security and operation of correctional centres and one with expertise in health services, were engaged to join the inspection team. The inspection team consisted of the Inspector, two consultants, two principal inspection and research officers, two senior inspection and research officers and an Aboriginal inspection and liaison officer.

Prior to the inspection, we conducted two liaison visits to Goulburn Correctional Complex to inform our planning. We also received documents and data from Goulburn Correctional Complex and the Corrections Research Evaluation and Statistics branch of CSNSW. In the week of the inspection we conducted observations of a range of processes and areas of Goulburn CC and the HRMCC and held discussions with a number of custodial and non-custodial staff, including union representatives, and inmates, including delegates from Goulburn CC's inmate development committees. We requested additional documents and data following the inspection.

The inspection considered sensitive information and methodologies. In accordance with section 15 of the ICS Act, information that could prejudice the security, discipline or good order of any custodial centre, identify or allow the identification of a person who is or was detained at a youth justice centre or in custody in a juvenile correctional centre, or identify or allow the identification of a custodial centre staff member, has been removed in the public interest.

A draft report or relevant parts thereof were provided to CSNSW and the Justice Health and Forensic Mental Health Network (JH&FMHN) in accordance with section 14(2) of the ICS Act. Submissions were received from CSNSW and JH&FMHN. In accordance with section 14(1) of the ICS Act, the Inspector provided the Hon Dr Geoff Lee MP, Minister for Corrections, with the opportunity to make a submission in relation to the draft report. In accordance with section 14(3)(b) of the ICS Act, each submission and the Minister's response was considered before the finalisation of the report for tabling.

¹³ *Inspector of Custodial Services Act 2012* s 6.

1 Goulburn Correctional Centre

1.1 Inmate profile

On 21 February 2021, Goulburn CC held 424 inmates.

1.1.1 Legal status and charges

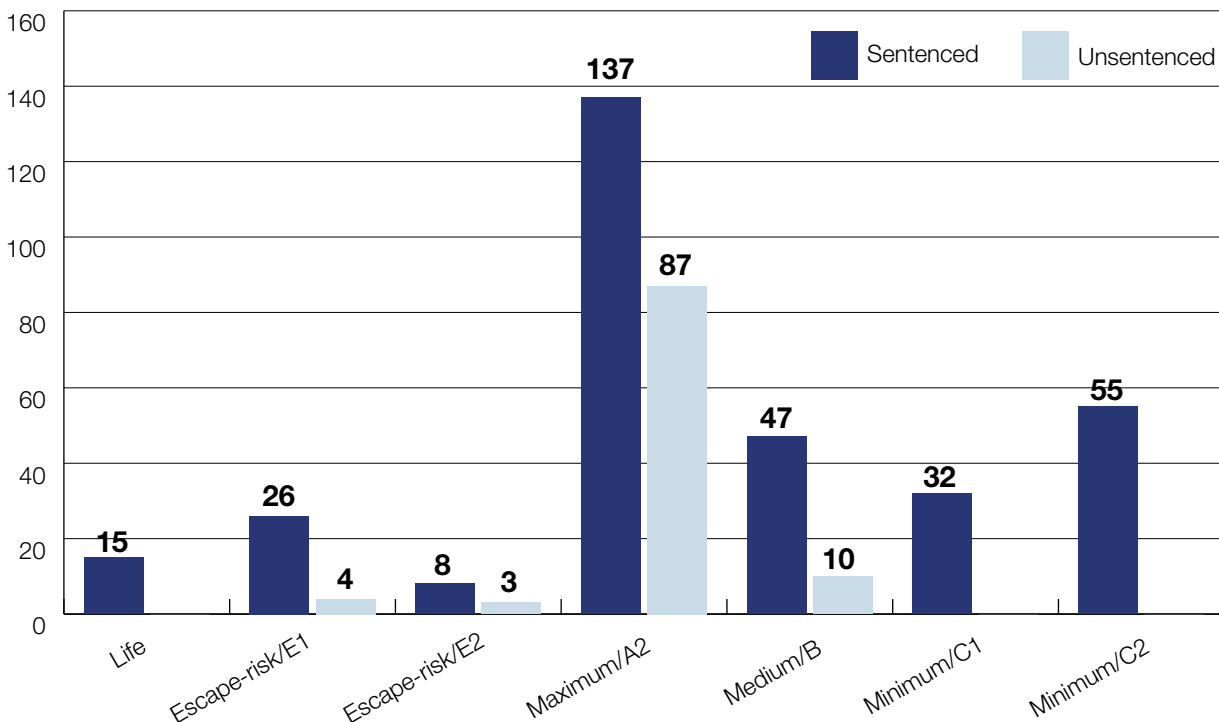
Most of the 424 inmates held at Goulburn CC on 21 February 2021 were sentenced (76.2% or 323 inmates). However, a significant proportion were being held in custody on remand (23.8% or 101 inmates). The average time on remand for Goulburn CC inmates was 283 days, with the longest period on remand being 1,670 days.

Acts intended to cause injury was the most serious offence or charge for 89 inmates, followed by homicide and related offences (79 inmates), sexual assault and related offences (63 inmates), offences against justice procedures, government security and government operations (48 inmates), illicit drug offences (38 inmates) and robbery, extortion and related offences (37 inmates).

1.1.2 Security classifications and designations

Most of the 337 inmates held in the maximum security area had a maximum (A2) security classification (66.5% or 224 inmates), although 57 inmates had a medium (B) security classification (16.9%).¹⁴ All of the 87 inmates in minimum security were sentenced.

Figure 1: Security classifications at Goulburn CC on 21 February 2021



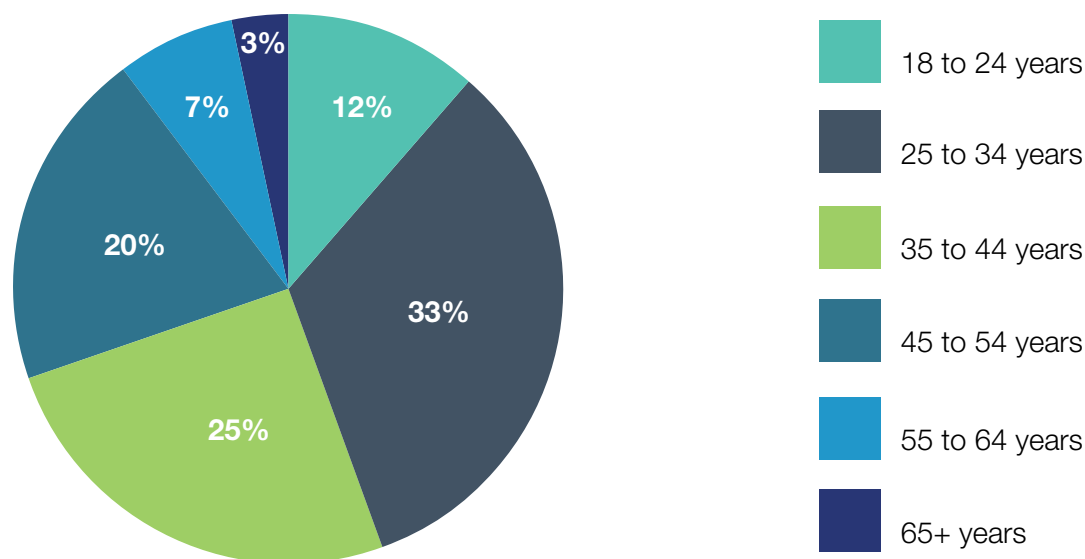
¹⁴ Inmate security classifications and risk designations are defined in the *Crimes (Administration of Sentences) Regulation 2014* cls 12, 14–15. The 'Life' security classification is for those inmates with 'little or no prospect of release': *Crimes (Administration of Sentences) Regulation 2014* cl 14A. This group must be confined at all times by a 'secure physical barrier unless extraordinary circumstances exist': *Crimes (Administration of Sentences) Regulation 2014* cl 20(1)(a1).

A significant proportion of the inmates held in Goulburn CC were in protective custody (40.1% or 170 inmates). Many were also managed by the Serious Offenders Review Council (SORC)¹⁵ (21.5% or 91 inmates) and the Pre-Release Leave Committee¹⁶ (16% or 68 inmates). Goulburn CC also held six extreme high security inmates, two high security inmates and one national security interest inmate.¹⁷

1.1.3 Demographic information

Goulburn CC had a young inmate population, as indicated in Figure 2.

Figure 2: Goulburn CC inmate ages on 21 February 2021



On 21 February 2021, 23.6% of 424 inmates at Goulburn CC were Aboriginal men (100 men in total). Most inmates, (77.6% or 329 inmates) were born in Australia, followed by New Zealand (2.8% or 12 inmates), Fiji (1.7% or seven inmates), Vietnam (1.2% or five inmates) and England (1.2% or five inmates). Most inmates spoke English at home (89.6% or 380 inmates).

Most inmates identified their cultural background as Australian (68.4% or 290 inmates). The next largest cultural background identified was North African and Middle Eastern (9.4% or 40 inmates), followed by Oceanian (6.4% or 27 inmates), Southern and Eastern European (5.4% or 23 inmates), and South-East Asian (3.3% or 14 inmates).

The largest religious group was Muslim (16.3% or 69 inmates), followed by Catholic (12.3% or 52 inmates), Christian (8% or 34 inmates), Anglican/Church of England (5.4% or 23 inmates), Orthodox (1.9% or eight inmates) and Buddhist (1.9% or eight inmates). Nearly half of all inmates (46.7%) had no preferred religion.¹⁸

¹⁵ SORC provides advice and makes recommendations to the Commissioner of Corrective Services NSW regarding the security classification, placement and program participation of 'serious offenders'. See *Crimes (Administration of Sentences) Act 1999* s 197. A 'serious offender' is defined in the *Crimes (Administration of Sentences) Act 1999* s 3 and includes an offender serving a life sentence, who must serve at least 12 years in custody or who is required to be managed as a serious offender due to a decision of the sentencing court, the State Parole Authority or the Commissioner of Corrective Services NSW.

¹⁶ The Pre-Release Leave Committee is the division of the Serious Offenders Review Council that manages 'public interest inmates'. A public interest inmate is defined in Corrective Services NSW, *Inmate Classification and Placement: Serious Offenders Review Council (SORC) and Subcommittee Managed Inmates* (version 2.0, 2 February 2021) 17–18.

¹⁷ *Crimes (Administration of Sentences) Regulation 2014* cl 15.

¹⁸ The data in section 1.1 was provided by Corrective Services NSW, 1 March 2021.

1.2 Custody

1.2.1 Physical environment

Layout

The maximum security area of Goulburn CC consists of the main health centre for Goulburn Correctional Complex, a reception area for processing new inmates, an oval, a visits area, inmate work areas, a building with program and education rooms, a library and staff offices (known as G Block), and inmate accommodation. A fenced outdoor corridor, known as 'the Cookhouse' (as it was originally a kitchen) effectively divides the maximum security inmate accommodation area in two, with one half (Units 1 and 2) holding protection inmates and the other half (Units 3 and 4) holding normal discipline inmates. The four units and the Cookhouse are arranged in a radial design around an area called 'the Circle', comprising an outdoor thoroughfare for inmate movements, and a building that was formerly a chapel that has been repurposed as a workspace for staff. This building includes a satellite health centre for distributing inmate medications. The four units are surrounded by secure yards, each containing showers, two telephones and a sheltered area.

The minimum security area consists of inmate accommodation, a visits area, a satellite health centre for distributing inmate medications, and an outdoor space with a basketball court and exercise equipment. An oval and work areas for minimum security inmates are located outside the secure perimeter. The inmate accommodation is in a three-sided building that includes shower blocks, a library, gym, rooms for programs and education, staff areas and inmate cells. Cells are divided across two levels and four decks (A-, B-, C- and D-decks). Each deck has a telephone and shower block and there are two kitchenettes, one on each level.

The Circle staff building



Minimum security accommodation building



Age of the maximum security infrastructure

At the time of the inspection, the maximum security area of Goulburn CC had been operational for around 137 years and the minimum security area for around 60 years. The age of this infrastructure creates significant challenges for the operation and maintenance of Goulburn CC. It was evident to us that work had been put into the cleanliness and upkeep of Goulburn CC, particularly in relation to the grounds which were maintained to a high standard. However, overall, we found the physical environment, particularly the inmate accommodation and yards, to be bleak, dated and unfit-for-purpose.

The 2016–17 NSW Budget included an investment of \$3.8 billion over four years to create around 7,000 new beds in NSW correctional centres.¹⁹ This has included the construction of Clarence, Hunter and Macquarie correctional centres and additional accommodation for male inmates with maximum security classifications at Junee, Bathurst, Mid-North Coast, South Coast, Parklea and Shortland correctional centres.²⁰ As these new facilities became operational, CSNSW began the process of removing 2,500 ‘short-term and obsolete beds’ including the retirement of some older facilities including Grafton and Berrima correctional centres.²¹

Given the condition and age of the infrastructure in the maximum security area of Goulburn CC, and the substantial investment in additional maximum security beds across the NSW correctional system, plans should be developed and implemented for the decommissioning of the 1800s accommodation units and yards. While Goulburn CC makes sense as a transport link between metropolitan and regional correctional centres in southern NSW, the 1800s infrastructure is obsolete and does not align with modern correctional practice.

Recommendation 1: Corrective Services NSW develop a plan for the closure of Goulburn Correctional Centre’s maximum security accommodation units and yards.

Living conditions

In both minimum and maximum security, most cells contained a bunk bed (or single beds in a small number of cells with larger dimensions), toilet, sink and shelving. We observed ligature points in cells across both areas. Cells were also reportedly susceptible to extreme temperatures.

We found the cells in maximum security to be dilapidated, small and dark with poor ventilation, little natural light, and very low and narrow doorways. The cells in minimum security were of a similar size and layout to those in maximum security, although larger windows provided for greater airflow and natural light.²² We found them to be rundown and in need of refurbishment.

The cells in maximum security were originally constructed for single occupancy with dimensions of 13 x 7 ft,²³ approximately 3.96 x 2.13 m or around 8.43 m². At the time of their construction in the 1800s, these were the largest single cells in Australia.²⁴ The ICS Standards provide that 8.75 m² is a satisfactory size for a single cell and 12.75 m² for a two-person cell.²⁵ These cell sizes are consistent with those provided for secure accommodation by the Standard Guidelines for Prison Facilities in Australia and New Zealand.²⁶ The ICS Standards further highlight that the adequacy of a space ‘depends upon if it is being shared, how many hours a day inmates are locked inside, whether they have in-cell access to shower and

19 NSW Government, ‘NSW Budget: New Prisoner Beds, Record Corrections Funding’ (Media Release, 16 June 2016).

20 ‘New Prisons: Completed Projects’, *Corrective Services NSW* (Web Page) <<https://correctiveservices.dcj.nsw.gov.au/csnsw-home/correctional-centres/new-prisons/completed-projects.html>>.

21 ‘Better Prisons’, *Corrective Services NSW* (Web Page) <<https://correctiveservices.dcj.nsw.gov.au/csnsw-home/correctional-centres/better-prisons.html>>.

22 In April 2022, CSNSW advised that, in addition to its ongoing maintenance program, works had recently been undertaken in the minimum security area of Goulburn CC including the replacement of fluorescent lights with LED lights, refurbishment of the inmate showers and internal stairwell steps, roof maintenance, and new carpet and vinyl flooring in office and education areas. Further works had been approved and were pending completion, including repainting the inmate showers, installing industrial fans to improve air flow, new office furniture in the education area, and repairing the ceilings in the internal stairwells. Information provided by Corrective Services NSW, 6 April 2022.

23 James Semple Kerr, ‘Goulburn Correctional Centre: A Plan for the Conservation of the Precinct and its Buildings’ (Report, Department of Corrective Services, September 1994) 6, 42.

24 James Semple Kerr, ‘Goulburn Correctional Centre: A Plan for the Conservation of the Precinct and its Buildings’ (Report, Department of Corrective Services, September 1994) 6, 42.

25 Inspector of Custodial Services, *Inspection Standards for Adult Custodial Services in New South Wales* (May 2020) standard 20.4.

26 Victorian Office of Corrections, *Standard Guidelines for Prison Facilities in Australia and New Zealand* (May 1990) 31.

toilet and ambient temperatures'.²⁷ At Goulburn CC, maximum security inmates were locked in their cells for around 17 hours, from around 2.30pm/3pm until around 8.20am/9am the following morning. Minimum security inmates were locked in their cells for around 13 hours, from around 5.30pm until around 6.15am the following morning (see section 1.2.3).

Cell in maximum security



Cell in minimum security



The Mandela Rules provide that each prisoner should occupy a cell or room on their own overnight and that 'it is not desirable to have two prisoners in a cell or room'.²⁸ At the time of the inspection, many of the cells in the maximum and minimum security areas were shared by two inmates. Although it is accepted practice in NSW for two inmates to share a cell, we observed that the cells at Goulburn CC are too small to hold more than one person. In April 2022, CSNSW advised that, the implementation of the PBCAP changes had resulted in a reduction in the number of shared cells and 62% of the cells at Goulburn CC held one inmate.²⁹ We welcome this reduction in shared cells and acknowledge there are circumstances where sharing a cell is necessary and appropriate, such as for medical reasons or social support. However, these exceptions aside, the cells in both the maximum and minimum security areas should each hold one inmate.

Recommendation 2: Corrective Services NSW make cells in Goulburn Correctional Centre single occupancy. Inmates should only share a cell under special circumstances, as assessed on a case-by-case basis.

Recommendation 3: Corrective Services NSW refurbish the minimum security area of Goulburn Correctional Centre.

²⁷ Inspector of Custodial Services, *Inspection Standards for Adult Custodial Services in New South Wales* (May 2020) standard 20.6.

²⁸ *United Nations Standard Minimum Rules for the Treatment of Prisoners*, GA Res 70/175, UN Doc A/RES/70/175 (8 January 2016, adopted 17 December 2015) rule 12(1).

²⁹ Information provided by Corrective Services NSW, 6 April 2022.

1.2.2 Classification and placement

The inmate cohort

The inmate cohort in minimum security was planned to change from normal discipline inmates to protection inmates soon after the inspection. The rationale for this was an apparently greater demand for minimum security placements for protection inmates. We were informed that the inmate population in this area was consistently below its capacity, with a current state of 73 inmates at the time of the inspection, and that the cohort change should help resolve this. It was considered that this would also increase the numbers of inmates in work and eligible for programs.

In maximum security, there was a widespread perception among custodial and non-custodial staff that Goulburn CC was a 'dumping ground' for the 'worst of the worst', or the most dangerous inmates in the NSW correctional system. Many considered that Goulburn CC was 'the end of the road' for those inmates who had demonstrated that they could not be safely placed elsewhere.

It is difficult to ascertain whether this view of Goulburn CC's purpose and the associated inmate profile is accurate. There is no doubt that Goulburn CC holds a number of inmates with histories of serious offending and poor behaviour in custody. However, this was not dissimilar from other maximum security facilities such as Lithgow, Bathurst or Wellington correctional centres. Making meaningful comparisons between the inmates held in maximum security correctional centres can be problematic as no two are identical in their infrastructure, location and purpose, all of which influences their inmate cohort. Many maximum security correctional centres hold a mix of medium and maximum security classified inmates. Some have a mix of remand and sentenced inmates while others predominantly hold one or the other. Some hold protection inmates or inmates subject to segregation or separation orders and others do not. An inmate's most serious offence may not be a strong predictor of their institutional behaviour, and the risks they pose, in a custodial setting, which can also be influenced by the social climate and regime of a correctional centre.

A range of factors are taken into consideration when CSNSW determines an inmate's security classification and placement. These include an inmate's criminal history and behaviour in custody or while under supervision in the community, risk to the good order and security of a correctional centre, likelihood of reoffending or attempted escape from custody and the need to protect the community.³⁰ Key principles underpinning classification and placement include that an inmate should be placed in a correctional centre with the lowest level of security assessed as appropriate and where they can undertake the activities outlined in their case plan.³¹ Alerts that indicate where associations between certain inmates may create a security or safety risk also need to be considered.

We were provided with a sample of classification and placement decisions for inmates in the maximum security area of Goulburn CC with histories of non-compliance and offending in custody involving violence or contraband. A number of these decisions were triggered by an incident or poor behaviour. The reasons why Goulburn CC was the preferred placement option for these inmates was not always clear. For some, association issues with inmates held at other maximum security correctional centres significantly limited the available options. For others, placement at Goulburn CC was determined to be 'appropriate' or it was thought they required greater supervision, the implication being they would receive this at Goulburn CC.³² However, it should be noted that we observed that this was unlikely to occur because of the nature and operation of the yard system (see section 1.2.3).

30 *Crimes (Administration of Sentences) Regulation 2014* cl 20; Corrective Services NSW, *Inmate Classification and Placement: Policy for Inmate Classification and Placement* (version 2.0, 1 February 2021) 7.

31 Corrective Services NSW, *Inmate Classification and Placement: Policy for Inmate Classification and Placement* (version 2.0, 1 February 2021) 6.

32 Information provided by Goulburn Correctional Complex, June 2021.

CSNSW's classification and placement staff should take care to ensure that there are clearly articulated reasons for decisions to classify and place inmates in Goulburn CC's maximum security area. This is necessary so as not to reinforce the belief that Goulburn CC holds a disproportionately large share of inmates who are difficult to manage or that Goulburn CC is a place where inmates are sent for punishment. Where such a view of Goulburn CC's purpose is evident in classification and placement decisions, it must be challenged by supervising staff. As will be explored further in subsequent sections of this report, this view of Goulburn CC's inmate cohort drives an outdated operational approach that deprioritises dynamic security and inmate rehabilitation activities. Rectifying this needs to be a focus of CSNSW and Goulburn CC's management team.

Maximum security yard placement system

The maximum security section of Goulburn CC operated according to a system of yard groupings. All inmates were assigned to a yard group and each yard group was allocated to a particular physical yard. At the time of the inspection, the unit and yard allocations were as follows:

- **Unit 1** held up to 60 protection inmates allocated to Yard 2. Seven cells in Unit 1 had been allocated for isolating suspected cases of COVID-19.³³
- **Unit 2** held up to 140 protection inmates. Inmates in Unit 2 were split into four groups – yellow, green, blue and orange. The yellow group were allocated to Yard 3, the green group to Yard 4 and the blue and orange groups rotated between Yards 5 and 12 on the first day of each month.
- **Unit 3** held up to 135 predominantly sentenced, normal discipline inmates. Inmates in Unit 3 were split across five groups – blue, red, green, brown and orange. These yard groupings were based on the racial or cultural background of the inmates or their outlaw motorcycle gang (OMCG) affiliation. The blue group (referred to as the 'Lebanese yard') was allocated to Yard 8 and the orange group was allocated to Yard 10. The red ('Koori yard'), brown ('Mixed yard') and green ('Aussie/Asian yard') groups rotated between Yards 6, 7 and 13 on the first day of each month.
- **Unit 4** held up to 65 inmates, predominantly unsentenced, normal discipline inmates. Unit 4 inmates were allocated to Yard 9.³⁴

The placement of Unit 3 inmates into yard groupings according to their racial or cultural backgrounds is unique to Goulburn CC. We were told that this approach was implemented in the late-1990s in response to a number of murders that occurred in the Goulburn CC yards that were reportedly racially motivated. From 1995 to 1998, seven inmates were murdered at Goulburn CC.³⁵ However, we were not provided with any evidence indicating these murders were motivated by race or that the yard placement system was implemented as a direct consequence. It was also unclear if the yard placement system, rather than other factors, was responsible for reducing violence among inmates such as to justify its continuance over the past 30 years.

Yard groupings that divide inmates on the basis of their race is discriminatory, degrading, dehumanising, and inconsistent with the values and expectations of the community. It encourages negative stereotypes of

33 Goulburn CC was not holding inmates undertaking a period of quarantine after entering custody. These cells were for the isolation of inmates with COVID-19 symptoms awaiting test results. If somebody had tested positive for COVID-19, they would have been moved to a different correctional centre, however this had not eventuated prior to the inspection.

34 Information provided by Goulburn Correctional Complex, 31 May 2021 and Corrective Services NSW, 2 June 2021. Following the implementation of changes under the PBCAP that will reduce the capacity of the maximum security area to 340 inmates, Units 1 and 4 will each hold up to 50 inmates and Units 2 and 3 will each hold up to 120 inmates.

35 Vicki Dalton, *Prison Homicide in Australia: 1980 to 1998* (Trends and Issues in Crime and Criminal Justice No. 103, Australian Institute of Criminology, February 1999) 3.

people from different racial and cultural backgrounds and reinforces any prejudiced views held by inmates and staff. This has the potential to create risk when inmates are transferred to other correctional centres or released into the community.

During the inspection we observed an instance of collective punishment in relation to the yard system. We were informed that, at the time of the inspection, inmates in the red group (the 'Koori yard') were not being rotated to different physical yards. Instead they had been placed in the yard with the least sunlight on an ongoing basis as a disciplinary measure. This informal and collective approach to inmate discipline is discriminatory and inconsistent with the framework provided in the *Crimes (Administration of Sentences) Act 1999*.³⁶

In *The Management of Radicalised Inmates in NSW* report, we recommended that CSNSW undertake a review of the Goulburn CC yard placement system.³⁷ CSNSW has advised that in October 2019, CSNSW's Counter Terrorism/Countering Violent Extremism Steering Committee, on the advice of the then Assistant Commissioner, Security and Intelligence, determined that given the high inmate numbers at that time and 'other security-related issues', there was a risk that changing the yard system would compromise the good order and security of Goulburn CC.

We do not necessarily disagree with this assessment. However, it must be emphasised that any risk that may accompany the dismantling of Goulburn CC's yard placement system is a product of that system having been in place for around 30 years. There was a strongly held belief among some staff and inmates that it was the only way to maintain the security of Goulburn CC, a likely consequence of how long this yard system has been in place. We also observed that there was a small group of staff who seemed unlikely to support reform. Associations between people from different racial or cultural backgrounds does not pose an inherent security risk. This occurs at every other correctional centre in NSW.

It should also be noted that this yard placement system overlays existing CSNSW procedures for assessing which inmates can safely associate within a correctional centre. The *Custodial Operations Policy and Procedures (COPP)* provides that inmate association alerts should be entered into the Offender Integrated Management System where a risk of harm has been identified by staff or an inmate. Staff can use an assessment tool that considers the inmate's views and vulnerabilities and other available information to determine the level of risk to the inmate and the most appropriate way of mitigating that risk, either through an association alert or placement in protective custody. Circumstances where an inmate association alert is likely necessary include where inmates have been involved in assaults or where there is a conflict between rival OMCs or organised criminal networks. Staff must check offender association alerts before transferring an inmate to a different correctional centre.³⁸

In our view, it was unclear whether Goulburn CC's yard placement system increased inmate safety or exacerbated gang-related tensions and violence. There was certainly a strong view expressed by staff that under the current arrangements it was unsafe for staff to enter the yards. This was evident to us when we engaged with a group of Aboriginal inmates in a yard, resulting in a disagreement between the governor and some correctional officers about how this could safely occur, and subsequent industrial action. It is difficult to know whether dismantling the current yard system operating at Goulburn CC would lead to greater violence or not. In April 2022, CSNSW advised that planning was underway to increase the number of industries in Goulburn CC maximum security and that yard groupings would be reorganised to align with inmate work locations.³⁹ We welcome this change in approach.

36 *Crimes (Administration of Sentences) Act 1999* div 6.

37 Inspector of Custodial Services, *The Management of Radicalised Inmates in NSW* (Report, May 2018) 60–1.

38 Corrective Services NSW, *Custodial Operations Policy and Procedures – 2.2 Offender Associations* (version 1.2, 17 March 2020).

39 Information provided by Corrective Services NSW, 6 April 2022.

Inmate yard in maximum security



Unit 3 inmate refrigerator, divided by yard groups



Cell placements

The COPP provides that the governor or their delegate (a functional manager or officer in charge) is responsible for determining the cell placement of an inmate. Cell placement recommendations may be made by JH&FMHN or State-wide Disability Service or as part of a support plan for at-risk inmates. The governor or their delegate should consider any relevant recommendations when approving a cell placement.⁴⁰ Senior correctional officers and/or wing officers are then responsible for ensuring that an inmate is assigned to a bed in the type of cell placement determined to be suitable for the inmate and assess their compatibility with their prospective cellmate. They should refer to the *Cell Placement Decision Guide*, which outlines the factors that should be considered when determining suitable cell placements.

We were unable to identify any process in place for determining cell placements at Goulburn CC. It appeared that inmates arriving at Goulburn CC were simply placed where there was a vacancy. We heard of instances where inmates with physical mobility issues were placed in a cell together, requiring one to use the top bunk, or were placed in a cell that was not on the ground floor or were not provided with chairs in their cells. Determining the compatibility of inmates to share a cell should include placing inmates with physical mobility issues in a cell on the ground floor and ensuring that one inmate in a shared cell is able to use a top bunk. These considerations are necessary to prevent falls, injuries, and costly hospital escorts. Moreover, suitability assessments are vital to minimise the risk of assaults and self-harm.

Similarly, we also heard that working inmates were not accommodated on the same decks within the units. This had led to opportunities for standover and created inefficiencies in moving inmates to work and to the exercise yards. Custodial staff were reportedly resistant to giving effect to a different arrangement. This does not appear to align with the *Cell Placement Decision Guide* of the COPP which provides that inmates participating in employment 'should be housed in accommodation with similar inmates'.⁴¹ Goulburn CC should review cell and bed placements to ensure their suitability.

⁴⁰ Corrective Services NSW, *Custodial Operations Policy and Procedures – 5.2 Inmate Accommodation* (version 1.4, 27 May 2020) 4–5.

⁴¹ Corrective Services NSW, *Cell Placement Decision Guide* (version 1.0, 26 May 2020) 2.

Recommendation 4: Goulburn Correctional Centre review cell placements and ensure these comply with *Custodial Operations Policy and Procedures – 5.2 Inmate Accommodation* and the *Cell Placement Decision Guide*.

Maximum security unit corridor with stairs to the upper landing



Damaged flooring in the minimum security accommodation



As outlined above, the inmate accommodation in both the maximum and minimum security areas was not designed to accommodate the needs of a growing aged and frail inmate population or inmates with physical disability or injury. Limitations of the existing infrastructure included stairs between levels in the inmate accommodation units, small cells with narrow doorways, a lack of seating in yards and cells, potentially slippery and visibly damaged concrete flooring throughout the indoor areas, and outdoor shower blocks in maximum security.

CSNSW have acknowledged Goulburn CC is not suitable for inmates identified by JH&FMHN as ‘highly aged and frail’ and requiring a high level of care. However, CSNSW also highlighted that there are limited accommodation options for inmates who are aged and frail with A or B security classifications.⁴² While we acknowledge that placing vulnerable inmates with mobility concerns and maximum or medium security classifications may be challenging, the infrastructure of Goulburn CC is still unsuitable for this purpose. Accordingly, we consider that aged and frail inmates or inmates with physical mobility difficulties should not be placed at Goulburn CC.

Recommendation 5: Corrective Services NSW cease placing aged and frail inmates or inmates with physical mobility concerns in Goulburn Correctional Centre.

1.2.3 Safety and security

Physical, procedural and dynamic security

Different types of security measures – physical, procedural and dynamic – need to be balanced to ensure that correctional centres are safe and secure:

⁴² Information provided by Corrective Services NSW, 6 April 2022.

- Physical security concerns the infrastructure of the correctional centre and security devices, such as the walls and fencing, closed-circuit television (CCTV) cameras, locks, gates, body scanners and alarm systems.⁴³
- Procedural security concerns the processes and rules implemented that stipulate how and when staff should perform security-related tasks, such as CCTV monitoring, searches and inmate counts and movements.⁴⁴
- Dynamic security concerns staff-inmate relationships and interactions such that staff understand the dynamics between inmates and are aware of what is going on within the correctional centre.⁴⁵

Dynamic security relies on staff developing professional relationships, and regularly engaging, with inmates. This entails staff building trust and rapport with inmates; applying rules and responding to poor behaviour in a way that is consistent, firm and fair; encouraging good behaviour; and being responsive to inmate needs and requests. These connections allow staff to obtain insight into the social climate of the correctional centre and any associated risks. It also provides a basis for inmates to approach staff with information that enables staff to anticipate, and respond early and effectively, to issues or situations that threaten the safety and security of the correctional centre.⁴⁶

These different layers of security reflect the way in which the role of correctional officers have evolved over time. In the nineteenth century, correctional officers were described as ‘turnkeys’, performing their jobs with little training or discretion and in accordance with clearly prescribed tasks, such as locking and unlocking cells.⁴⁷ However, as the aims of imprisonment have shifted to include the rehabilitation of offenders, so too has the work of correctional officers. This has brought about the professionalisation of the work of correctional officers, with an increased focus on staff training and a greater understanding of their role in reducing reoffending. Consequently, there is a greater appreciation of the security and pro-social benefits of professional and respectful relationships between staff and inmates.⁴⁸

A number of staff who spoke with us identified the secure containment and controlled movement of inmates as a strength of Goulburn CC. However, we considered that there was inadequate focus on dynamic security, particularly in the maximum security area. Consequently, there was an over-reliance on physical and procedural security measures to manage maximum security inmates, inhibiting inmate access to programs, work, education and other supports and activities due to long let-go and lock-in procedures and complicated inmate movements.

We observed that perceptions about the inmate profile appeared to drive a reluctance among correctional officers to engage with inmates. It was also evident that the attitudes of some correctional officers toward inmates impacted their professionalism. We witnessed multiple examples of dehumanising language being used by staff to describe inmates, such as ‘cockroaches’, ‘sex pests’ and ‘crims’. In addition, we heard about unprofessional behaviour toward inmates, such as placing items, including meals, on the floor and kicking them into cells.

43 United Nations Office on Drugs and Crime, *Handbook on Dynamic Security and Prison Intelligence* (December 2015) 5, 9–10.

44 United Nations Office on Drugs and Crime, *Handbook on Dynamic Security and Prison Intelligence* (December 2015) 5–6, 12–13.

45 United Nations Office on Drugs and Crime, *Handbook on Dynamic Security and Prison Intelligence* (December 2015) 6, 29–30.

46 United Nations Office on Drugs and Crime, *Handbook on Dynamic Security and Prison Intelligence* (December 2015) 29–31.

47 UK House of Commons Justice Committee, *Role of the Prison Officer* (2009) 5–6.

48 See for example, UK House of Commons Justice Committee, *Role of the Prison Officer* (2009) 15–17; Alison Liebling, ‘Distinctions and Distinctiveness in the Work of Prison Officers: Legitimacy and Authority Revisited’ (2011) 8(6) *European Journal of Criminology* 484; Lacey Schaefer, ‘Correcting the “Correctional” Component of the Corrections Officer Role: How Offender Custodians Can Contribute to Rehabilitation and Reintegration’ (2018) 3(1) *Corrections: Policy, Practice and Research* 38.

This issue was compounded by the ageing infrastructure and the way in which the maximum security area operated, which together provided limited opportunities for staff to engage with inmates. Although CSNSW has been trying to increase the professionalism of its staff, we acknowledge that it can be difficult for staff to embrace a contemporary correctional culture when they are working in 1800s infrastructure.

There also appeared to be a lack of awareness of the way in which inmate involvement in programs, work, education and other activities can enhance the safety and security of a correctional centre. Each offer opportunities for inmates to constructively use their time and for staff and inmates to develop respectful relationships. This was lacking at Goulburn CC, to the detriment of dynamic security and inmate safety.

Assaults and fights

In the 12 months from February 2020 to January 2021, there were 672 breaches of correctional centre regulations at Goulburn CC. Of these, 295 (43.9%) were charges against good order, 135 (20.1%) for fighting or assault, 68 (10.1%) drug charges, 51 (7.6%) for property damage, and 50 (7.4%) for abusive behaviour. During this period, there were 57 uses of force. A high of 18 uses of force was recorded in April 2020, otherwise the monthly figure was in the single digits.⁴⁹

In the 12 months from February 2020 to January 2021, there were 10 inmate-on-staff assaults. These were dispersed across the 12-month period and no inmate-on-staff assaults were recorded for seven of these 12 months. Over the same period, there were 165 inmate-on-inmate assaults. The number of inmate-on-inmate assaults per month declined over the 12-month period and from October 2020 to January 2021 the monthly figure was consistently in the single digits.⁵⁰

We reviewed a sample of incident reports concerning violent incidents in December 2020 and January 2021. Over this period there were 18 incidents in total, two of which were assaults against staff. These incident reports indicated that most inmate-on-inmate assaults and fights⁵¹ occurred in the maximum security yards and shower areas. Some of these assaults were not witnessed by staff when they occurred but were identified later due to the victims having visible injuries or inmates reporting ongoing concerns for their safety. There were also incidents of protection inmates being spat at or targeted with projectiles by other inmates.⁵²

A sample of incident reports concerning findings of contraband in December 2020 and January 2021 revealed that almost half (nine of 20) were related to gaol-made weapons. Most of these findings concerned inmates in maximum security and involved weapons concealed in the yards or in the bags inmates take into the yards containing the personal effects they may need during the day. This likely indicates that inmates were either using these weapons to threaten others or that they did not feel safe in the maximum security yards and, as a result, were arming themselves.⁵³

We observed that the maximum security yards were poorly supervised. Due to safety concerns, correctional officers were reluctant to enter the yards while inmates were present and it appeared to be accepted practice not to do so unless the immediate action team (IAT) were responding to an incident. Goulburn CC maximum security was still reliant on towers and an armed guard. This is an obsolete form of security for modern maximum security correctional centres. Technology solutions such as CCTV provide much better

49 Information provided by Corrective Services NSW, 1 March 2021.

50 Information provided by Corrective Services NSW, 1 March 2021.

51 There were 16 incident reports that did not concern assaults against staff, nine of which involved inmate-on-inmate assaults and fights occurring in the yards and shower areas.

52 Information provided by Goulburn Correctional Complex, 1 March 2021.

53 Information provided by Goulburn Correctional Complex, 1 March 2021.

security, however the CCTV coverage of the yards was insufficient and the footage we viewed was of a very low quality. It was virtually impossible to identify those involved in a fight, assault or other incident from this footage. This was consistent with the incident reports we reviewed which showed that CCTV footage alone was often insufficient to identify those involved in fights or assaults, although this was partly due to there being no CCTV coverage of the showers to protect inmate privacy. At the time of the inspection, security camera upgrades were being installed at Goulburn CC. These upgrades were reportedly not going to improve the CCTV coverage of the yards, although they would enable the decommissioning of one of the towers.

Although CCTV footage was often unable to identify inmates involved in a fight or assault in a maximum security yard, the incident reports included several examples where such identification did occur as a result of the observations of the first responding officer. Given the poor CCTV coverage of the yards, we considered that the use of body cameras by correctional officers conducting supervision from the perimeter of the yards or other movements of inmates around maximum security could help fill this gap. At the time of the inspection, only the members of the IAT were using body cameras.

Greater efforts are required to ensure inmate safety in the maximum security yards at Goulburn CC. Correctional centres have a duty of care to provide all inmates with a safe environment. A failure to prioritise this responsibility creates a safety risk to staff and inmates when inmates equip themselves with weapons. In April 2022, CSNSW advised that additional body cameras have been ordered, although these had not yet arrived. Further, CCTV cameras had been approved for installation in Goulburn CC's maximum security yards and would be installed during the construction of the new segregation unit.⁵⁴

Recommendation 6: Goulburn Correctional Centre increase the number of correctional officers in maximum security equipped with body cameras.

Recommendation 7: Goulburn Correctional Centre increase supervision of inmates in the maximum security yards.

Contraband drugs and alcohol

In the 12 months from February 2020 to January 2021, there were 98 instances of drugs being found. The monthly figure during this period gradually declined from September 2020. Of these 98 instances, 63 were Buprenorphine and 18 were tobacco. There were also 20 lab confirmed positive urinalyses.⁵⁵

As noted above, we reviewed a sample of 20 incident reports concerning findings of contraband in December 2020 and January 2021 which revealed that almost half related to weapons. In addition to this, three findings were of gaol-made alcohol, three were of tobacco and associated items such as cigarette papers and lighters, two were of drugs (Buprenorphine and Suboxone), one was a gaol-made syringe and one was a gaol-made tattoo gun.⁵⁶

We heard that the minimum security area was a vulnerability for the introduction of contraband to Goulburn CC. This was reflected in the incident reports. The risk of contraband being introduced to minimum security was managed by custodial staff conducting daily security and perimeter checks. Minimum security inmates returning from work were pat and wand searched and up to 10% were randomly strip searched.

Services shared across minimum and maximum security, such as the use of the maximum security audio visual link (AVL) suites for all court appearances and legal visits; the location of the main health centre and laundry in maximum security and the movement of meals from the minimum security kitchen, provided

⁵⁴ Information provided by Corrective Services NSW, 6 April 2022.

⁵⁵ Information provided by Corrective Services NSW, 1 March 2021.

⁵⁶ Information provided by Goulburn Correctional Complex, 1 March 2021.

opportunities for contraband to be moved from minimum security to maximum security. For example, in March 2021, minimum security inmates utilised the AVL suites in maximum security on 33 occasions.⁵⁷ Goulburn CC should attempt to implement strategies to reduce this movement where practicable and consider if improvements in security processes are required to prevent the movement of contraband between inmates.

Time out of cell

Goulburn CC's purposeful day routine provided that inmates should be let out of their cells each morning commencing at 8.10am on weekdays and 8.15am on weekends. This did not occur on any day in March 2021. During March 2021, this usually commenced at 8.30am and generally took from 60 to 90 minutes to complete. The earliest time it commenced was 8.20am and the latest was 10am.⁵⁸ This was consistent with our observations during the week of the inspection.

Goulburn CC's purposeful day routine also provided that inmates should be locked in to their cells in maximum security commencing at 2.30pm on weekdays and weekends. This occurred consistently throughout March 2021, except for one day when lock-in commenced at 2pm. Locking inmates in their cells generally took from 50 to 70 minutes to complete.⁵⁹

We observed that the length of time taken to let inmates out of their cells and return them to their cells placed a significant constraint on the time inmates in maximum security actually spent out of their cells. This was exacerbated by a high number of unscheduled lockdowns caused by staff shortages (see section 1.2.4). In 2019–20, hours out of cell for inmates in secure custody at Goulburn CC was reported as being 6.21 hours per day.⁶⁰ It should be noted that this is not an accurate reflection of time out of cells as this is the time from when the first inmate is released in the morning until the last inmate is secured in their cell in the afternoon.

Time out of cells was less of an issue for inmates in minimum security. In 2019–20, hours out of cell was 10.93 hours per day.⁶¹ Goulburn CC's purposeful day routine provided that inmates were let out of their cells commencing at 6.15am and locked in commencing at 5.30pm seven days per week. However, we considered that 5.30pm was early for locking in minimum security classified inmates, particularly when they were confined to their cells from this time and not to a unit where they continued to have access to amenities like showers and kitchens, as is the case in some other minimum security environments.

In April 2022, CSNSW advised that Goulburn CC's management team would review let-go and lock-in procedures and its purposeful day routine to ensure inmates receive adequate time out of cells.⁶²

Recommendation 8: Goulburn Correctional Centre review let-go and lock-in procedures for maximum security inmates to increase time out of cells.

1.2.4 Staffing

Generally, we found Goulburn CC's staff to be polite and cooperative in facilitating our work. However, there were notable examples of rude and unprofessional behaviour by staff. We experienced this directly and also observed it in interactions between Goulburn CC staff members. We heard about alleged bullying,

57 Information provided by Goulburn Correctional Complex, 31 May 2021.

58 Information provided by Goulburn Correctional Complex, 31 May 2021.

59 Information provided by Goulburn Correctional Complex, 31 May 2021.

60 Information provided by Corrective Services NSW, 1 March 2021.

61 Information provided by Corrective Services NSW, 1 March 2021.

62 Information provided by Corrective Services NSW, 6 April 2022.

harassment and discrimination and witnessed incidents of staff being openly disrespectful to other staff. This was reflected in the number of outstanding matters with CSNSW's Professional Standards Branch following the inspection.⁶³ There was a clear need for management to emphasise the importance of respectful relationships between staff and between staff and inmates and ensure the timely investigation and resolution of staff complaints.

High rates of sick leave were reportedly a key challenge for Goulburn CC. In March 2021, an average of 17 staff were on sick leave per day. The highest number of staff on sick leave on a single day was 23 and the lowest was 10. Sick leave was the primary reason staff performed overtime in March 2021, with 2,138.50 hours of overtime performed to staff vacant posts due to sick leave.⁶⁴ This was causing a significant strain on staff capacity and Goulburn CC's budget.

Custodial staff reported low morale and 'change fatigue' following a number of staffing adjustments implemented over the previous five years. These included the benchmarking and PBCAP processes, both of which resulted in changes to Goulburn CC's staffing profile, including the deletion of the assistant superintendent rank and introduction of functional managers and case management units (CMU).

The PBCAP was also reportedly a source of frustration for staff because permanent positions were not being filled until the end of this process to allow for redeployments. Consequently, a number of casual staff had been appointed to temporary employment (TE) contracts until these vacant permanent positions could be filled, leading to a reduction in the size of the casual pool and subsequent difficulty finding casual staff who could fill absences at short notice. On 31 March 2021, the casual pool comprised 44 custodial staff and 22 custodial staff were appointed to TEs.⁶⁵

Staff absences were driving a significant number of lockdowns of Goulburn CC. In the 12 months from February 2020 to January 2021, 67 unscheduled lockdowns occurred at Goulburn CC.⁶⁶ The sample of incident reports provided to us suggested that unscheduled lockdowns generally occurred due to lack of staff. In March 2021, there were 10 full-day lockdowns where inmates were not released from their cells. Four lockdowns were due to staff shortages, three were due to industrial action, one was due to a power outage and to facilitate staff training, one was due to issues with the security system and one was to facilitate staff meetings. In addition, two partial lockdowns occurred to facilitate staff meetings, with inmates being let out of their cells later on those days.⁶⁷ We found that the length and number of lockdowns was having significant negative impacts on inmate routine, wellbeing, and access to work, education, employment and other services.

On the final day of our inspection custodial staff initiated industrial action. On the same day, the Industrial Relations Commission of NSW ordered striking staff to return to work. However, a number refused resulting in a three-day lockdown where both Goulburn CC and the HRMCC were operated by a skeleton staff and inmates were confined to their cells.⁶⁸

It was apparent that there was a lack of cohesion and cooperation across different staff groups. In some instances, relationships between staffing groups seemed to be poor or non-existent. A significant proportion of staff at Goulburn CC had only worked at that location. The challenges of the infrastructure and outdated

63 Information provided by Corrective Services NSW, 2 June 2021.

64 Information provided by Goulburn Correctional Complex, 31 May 2021.

65 Information provided by Goulburn Correctional Complex, 31 May 2021.

66 Information provided by Corrective Services NSW, 1 March 2021.

67 Information provided by Goulburn Correctional Complex, 31 May 2021.

68 'Goulburn Correctional Centre: Industrial Action', *Public Service Association* (Web Page, 31 March 2021) <www.psa.asn.au/goulburn-correctional-centre-industrial-action-3/>; Louise Thrower, 'Goulburn Prison Officers Agree to Talks with Corrective Services', *Goulburn Post* (online, 29 March 2021) <www.goulburnpost.com.au/story/7187204/prison-officers-go-back-to-work-but-keep-up-the-fight/>.

security practices at Goulburn CC, combined with limited experience at other correctional centres, meant that staff had little exposure to contemporary correctional practice. Consequently, practice at Goulburn CC did not align with that of other correctional centres in NSW and, as identified elsewhere in this report, was not sufficiently aimed at the rehabilitation of offenders and their eventual reintegration into the community. Similar observations were made in relation to the HRMCC, which is unsurprising given the overlap of custodial staff (see section 2.3.5).

This problem appeared to be compounded by issues regarding staff training. We heard that compliance with mandatory staff training was high, at around 94%. However, there was little scope for training or staff development beyond mandatory training. This was a source of frustration for some staff who felt they were unable to obtain the experience or training necessary to progress their careers. Most mandatory training was delivered online in a self-paced learning format that seemed focussed on compliance rather than addressing skill gaps.

Recommendation 9: Corrective Services NSW prioritise the timely investigation and resolution of complaints made by staff alleging misconduct by other staff.

Recommendation 10: Corrective Services NSW prioritise secondment opportunities for Goulburn Correctional Complex custodial staff.

Table 1: Staffing profile of Goulburn Correctional Complex⁶⁹

Area	Position	Approved FTE At 25 February 2021	Vacancies At 25 February 2021	Post-PBCAP Approved FTE
Custodial	Governor	1	-	1
	Manager of security (MOS)	2	-	2
	Functional manager	10	1	10
	Senior correctional officer	46	2	46
	Correctional officer	196	17	190
Corrective Services Industries (CSI)	Operations manager	1	-	1
	Manager of industries	1	-	1
	Manager of business unit	4	1	2
	Senior overseer	9	2	8
	Overseer	17	-	16
	Administration clerk grade 1/2	N/A	N/A	1
Offender services and programs (OS&P)	Manager of services and programs (MOSP)	1	-	1
	Senior services and programs officer (SAPO)	4	-	4
	SAPO	14	-	13
	Senior psychologist	2	-	2
	Psychologist	6	-	6
	Counsellor	1	-	1
Education	Education services coordinator	2	1	2
	Assessment and planning officer	1	-	1
Classification	Classification and placement coordinator	N/A	N/A	3
	Clerk grade 7/8	1	-	N/A
	Clerk grade 5/6	2	-	N/A
Case management	Senior case management officer	2	-	2
	Case management officer	7	-	8
Sentence administration	Clerk grade 5/6	1	-	1
	Clerk grade 3/4	2	-	2
Rosters support unit	Clerk grade 3/4	3	-	3
Administration	Business manager	1	-	1
	Finance and administration manager	1	-	1
	Clerk grade 3/4	2	1	2
	Clerk grade 1/2	5	-	4
	General scale clerks	4	1	4
	Total	349	26	339

⁶⁹ Information provided by Goulburn Correctional Complex, 1 March 2021.

1.3 Physical and mental health services

1.3.1 Justice Health and Forensic Mental Health Network services

The main health centre for Goulburn CC operated from 6am to 8.30pm Monday to Friday and 7am to 8.30pm on weekends. Satellite health centres were located in the Circle and in minimum security and were primarily used for distributing medication to patients.⁷⁰ The main health centre consisted of two treatment rooms, a dental suite, a radiology suite, a telehealth facility, a dispensary, an observation cell and several holding yards for separating patients with medical appointments who could not associate.

The main health centre was clean and well-organised and maximised limited available space. However, consistent with the age of Goulburn CC, it was also too small for the number of staff working there and the number of inmates held at Goulburn CC. We were particularly concerned about the lack of space for safely treating multiple patients simultaneously. We also heard that, despite best efforts, the maintenance of the main health centre was an issue. At the time of the inspection, there were plans to construct a clinical demountable on the side of the main health centre to increase its capacity. However, the timeline for completing this was unclear.

Main health centre treatment room



Front entrance of the main health centre



The nursing unit manager (NUM) for the main health centre also maintained overarching responsibility for health services provided to inmates in HRMCC. The main health centre was funded for 17 full-time employees and just prior to the inspection, five full-time equivalent (FTE) positions were vacant and the subject of recruitment. The JH&FMHN staffing profile for the main health centre included primary health, drug and alcohol, population health and mental health nurses and a clinical nurse educator.⁷¹ Two correctional officers were posted in the main health centre to manage its security and facilitate patient movements.

In addition, a number of other health services were provided in-person and by telehealth. A general practitioner (GP) attended Goulburn Correctional Complex four days per week and a Remote Offsite Afterhours Medical Services (ROAMS) GP was accessed as required. An optometrist attended around once every four months and a dentist attended once a month for a week. Physiotherapy was provided once a month by telehealth. Radiology was conducted onsite one afternoon per week and was also provided through Goulburn Base Hospital.⁷²

⁷⁰ Health staff working in correctional centres describe people in custody receiving health services as patients rather than inmates. Consistent with this, the report will also use this terminology in the context of those receiving health services.

⁷¹ Information provided by Goulburn Correctional Complex, 1 March 2021.

⁷² Information provided by Goulburn Correctional Complex, 1 March 2021.

At the time of the inspection, there was no provision for an Aboriginal health worker at the Goulburn Correctional Complex. Throughout the inspection, we met a number of Aboriginal men with complex physical and mental health needs and considered that greater and more regular access to an Aboriginal health worker was needed. An Aboriginal Chronic Care Clinic was conducted once per fortnight, however this was not delivered by an Aboriginal health worker.

Recommendation 11: The Justice Health and Forensic Mental Health Network provide for an Aboriginal health worker position at Goulburn Correctional Complex or ensure there is a process by which Aboriginal patients can access an Aboriginal health worker when needed.

At the time of the inspection, there were no mental health nurses working at Goulburn Correctional Complex and 2.0 FTE positions were vacant. There were also 94 patients at Goulburn Correctional Complex on the waiting list to see a mental health nurse, although it should be noted that none were priority 1 (urgent) patients and three were priority 2 (semi-urgent) patients. The remainder had been categorised as priority 3 (non-urgent), priority 4 (routine) and priority 5 (follow-up) patients.⁷³ Prior to the inspection, on 21 February 2021, Goulburn CC held 36 inmates with a recorded history of mental illness and 59 mandatory notification – risk intervention team (RIT) inmates.⁷⁴ In the 12 months from February 2020 to January 2021 there were eight recorded acts of self-harm.⁷⁵

We were informed that a mental health nurse practitioner attended Goulburn Correctional Complex once a week and a mental health consultation liaison nurse (primary care) was accessed by AVL as needed, usually once a month. Psychiatry services were also provided twice per week by telehealth and information provided prior to the inspection stated that the waitlist to see a psychiatrist consisted of 44 patients.⁷⁶ The presence of a mental health nurse onsite would benefit patients as this would allow brief interventions with patients, medication monitoring and triaging for psychiatry services.

Recommendation 12: The Justice Health and Forensic Mental Health Network prioritise the recruitment of mental health nurses for the Goulburn Correctional Complex.

We were informed that the main health centre was providing medications to approximately 300 patients per day, approximately 60 of which were prescribed supervised medications. Medications not requiring the supervision of nursing staff when taken were pre-packaged in the main health centre and moved to the satellite health centre in the Circle for distribution, along with hard-copy patient files.

After patients were moved from their cells to the yards, they would attend the satellite health centre in groups of up to six people to collect their medication. If other inmate movements were occurring in the Circle at the same time, the patients receiving medication would be locked in a caged area in front of the window through which medications were distributed (see photograph). We observed that this process was laborious and inefficient. It also provided no privacy or confidentiality for patients locked in the caged area. Other patients could easily overhear conversations between a patient and the nurse or observe the medication they were provided with, creating opportunities for standover.

73 Information provided by Goulburn Correctional Complex, 25 March 2021.

74 Information provided by Corrective Services NSW, 1 March 2021. A RIT consists of a RIT Coordinator (a custodial officer of senior correctional officer rank or above who is designated by the governor), a JH&FMHN staff member, and an OS&P staff member. See Corrective Services NSW, *Custodial Operations Policy and Procedures – 3.7 Management of Inmates at Risk of Self-harm or Suicide* (version 1.4, 16 August 2021) 18.

75 Information provided by Corrective Services NSW, 1 March 2021.

76 Information provided by Goulburn Correctional Complex, 1 March 2021.

We heard that this had not always been the process for distributing medication and previously patients had collected medications when correctional officers were moving them from their cells to the yards. This was reportedly less time-consuming for nursing staff and enabled greater privacy for patients. However, this was estimated to add approximately 15 minutes to the time it took to move inmates from their cells to the yards.

Cage for holding inmates outside the medication window



Inside the Circle satellite health centre



Methadone was administered to approximately 40 patients and Buvidal to approximately 70 patients. Those patients taking methadone were moved to the main health centre and provided with their dose through a window adjoining the dispensary. This occurred in the morning prior to patients being moved from their cells to the yards. Nursing staff attended the satellite health centre in the minimum security area to provide methadone and other medications to minimum security inmates.

There were a number of constraints on patient access to JH&FMHN services. Limited treatment spaces and holding areas in the main health centre restricted the number of patients that could be seen at one time and created challenges in managing the association restrictions of different inmate cohorts. The efficient movement of patients to and from the main health centre was reportedly variable and contingent on individual correctional officers. The ability of the main health centre to function at its full capacity was also restricted by unscheduled lockdowns. The impact of these limitations was reflected in the length of the waitlist to see a primary care nurse, which consisted of 133 patients at the time of the inspection.⁷⁷ Consequently, we considered that the level of access JH&FMHN staff had to their patients needed to be increased and the processes for distributing medication needed to be improved to make the best use of available nursing hours.

In April 2022, CSNSW advised that Goulburn CC's management team and JH&FMHN were establishing a working group to review and address issues concerning the level of access health staff have to patients and the distribution of patient medication. This was to include a review of the Management Support Agreement between CSNSW and JH&FMHN for Goulburn CC.⁷⁸

⁷⁷ Information provided by Goulburn Correctional Complex, 25 March 2021.

⁷⁸ Information provided by Corrective Services NSW, 6 April 2022.

Recommendation 13: Goulburn Correctional Complex custodial staff and Justice Health and Forensic Mental Health Network staff work to improve the level of access Justice Health and Forensic Mental Health Network staff have to patients.

Recommendation 14: Goulburn Correctional Centre custodial staff and Justice Health and Forensic Mental Health Network staff develop a process for the efficient distribution of medications that ensures patient privacy and confidentiality.

1.3.2 Psychology services

Psychology services in NSW correctional centres are managed by the OS&P branch of CSNSW. Goulburn CC had two registered psychologists and two trainee psychologists.

An inmate may be referred to a psychologist by CSNSW or JH&FMHN staff or by an external agency. Referrals are then triaged according to their priority level. Immediate priorities, or psych 1, relate to a psychologist's duty of care and must be responded to within three days. High priorities, or psych 2, concern duties that require the specialised skills and knowledge of CSNSW psychologists and must be responded to within four to 12 days. Routine priorities, or psych 3, relate to inmate wellbeing, suitability, adjustment and reintegration and have no fixed timeline for response.⁷⁹ The sub-categories within each priority level mean that one inmate can have multiple psychology referrals, for example a person with a cognitive impairment who is having difficulty adjusting to being in custody would likely have two separate referrals.

On 14 May 2021, there were no inmates at Goulburn CC with a psych 1 referral and three referrals requiring triage. There were 71 psych 2 referrals, 41 psych 3 referrals and 33 referrals for criminogenic risk/needs assessments, which are used for a number of reasons including to help determine program eligibility or in parole decision-making. There were 21 inmates with more than one psychology referral.⁸⁰ The numbers of inmates with psych 2 and 3 referrals appeared to be consistent with reports that it could take time for inmates to see a psychologist at Goulburn CC. It also appeared that access to psychology services was hindered by issues in moving inmates to G Block, where psychology staff were located. These issues were similar to those experienced by other non-custodial staff groups, explained in greater detail in section 1.5 of this report.

⁷⁹ Corrective Services NSW, *Policy on Providing Psychology Services in CSNSW* (version 3.7, 10 November 2020).

⁸⁰ Information provided by Goulburn Correctional Complex, 31 May 2021.

1.4 Inmate services and amenities

1.4.1 Clothing and bedding

The COPP provides for a minimum allocation of clothing to be provided to all inmates when they enter custody, detailed in Table 2.

Table 2: Initial clothing issue at reception: male inmates⁸¹

Item	Quantity
T-shirt (short or long sleeve)	4
Fleecy tracksuit top/sloppy joe	2
Fleecy tracksuit pants	2 pairs
Shorts	2 pairs
Singlets	4
Underpants	7
Socks	7 pairs
Shoes	1 pair
Washbags	2

In addition, the COPP provides that the minimum issue of hygiene items for male inmates on reception to a correctional centre consists of soap, a toothbrush, toothpaste, a comb, a disposable razor, shaving soap and two towels.⁸²

These allocations of clothing and hygiene items are to be maintained throughout an inmate's sentence and all correctional centre issued clothing and hygiene items 'must travel with the inmate on transfer to another correctional centre'.⁸³ However, following conversations with inmates, we were concerned that this was not occurring in practice and that inmates were arriving at Goulburn CC without the minimum allocations of clothing and hygiene items.

We observed that inmates arriving at Goulburn CC were issued with one pair of underpants, one pair of socks, one pair of shorts, one t-shirt, one pair of tracksuit pants, one sloppy joe and one towel. This allocation was potentially insufficient to meet any shortfall where an inmate was transferred without the correct issue of clothing and hygiene items. We were informed that inmates could submit a form requesting additional clothing and hygiene items, however it was unclear how somebody new to Goulburn CC would know this was the process as it was not referred to in the Goulburn CC Inmate Handbook.⁸⁴

In theory, all inmates arriving at Goulburn CC should have previously been issued with the minimum allocation of clothing and hygiene items. At the time of the inspection, Goulburn CC was no longer a reception location where inmates entered custody for the first time. However, it is important to ensure that all inmates always maintain these minimum allocations and that inmates transferred to Goulburn CC without this are promptly provided with whatever items they require.

81 Corrective Services NSW, *Custodial Operations Policy and Procedures – 1.5 Issuing Correctional Centre Clothing and Linen* (version 1.3, 16 March 2021) 5.

82 Corrective Services NSW, *Custodial Operations Policy and Procedures – 1.5 Issuing Correctional Centre Clothing and Linen* (version 1.3, 16 March 2021) 7.

83 Corrective Services NSW, *Custodial Operations Policy and Procedures – 1.5 Issuing Correctional Centre Clothing and Linen* (version 1.3, 16 March 2021) 4, 7.

84 Information provided by Goulburn Correctional Complex, 1 March 2021.

Recommendation 15: Goulburn Correctional Centre ensures all current and newly arriving inmates have the full allocation of clothing and linen provided by the *Custodial Operations Policy and Procedures*.

We heard from multiple inmates that the standard issue running shoes would only be replaced six months from the date of issue, including where the shoes were in a state of disrepair. However, we were also informed that shoes could be replaced after three months upon request. This did not appear to be occurring in practice and the inmates who raised this issue with us did not appear to be aware of this option. Goulburn CC staff should ensure that inmates are aware of the criteria and process for replacing damaged shoes and other items.

In addition to the minimum allocations of clothing and hygiene items, the COPP provides that the governor of a correctional centre may establish local protocols for the issue of additional items depending on the climatic conditions of the correctional centre or the health, age or employment status of an inmate. Once a month, inmates could also purchase additional items of clothing or hygiene products specified on the 'Activities Buy-Up' list.

Table 3: Additional clothing issue: male inmates⁸⁵

Item	Quantity
Lightweight sloppy joe	1
Lightweight tracksuit pants	1
Overalls or trousers or work shorts	3
Drill shirts	3
Thermal underwear	2
Work boots	1 pair
Jacket	1
Shoe/boot laces	1 pair
Hat or cap	1
Pyjamas	2
Thongs	1 pair

In July 2021, the mean minimum temperature for Goulburn was 0.3°C and the mean maximum temperature was 11.5°C.⁸⁶ We were informed that inmates would be issued a winter jacket if they completed a request form. In the *Prison Greens: The Clothing and Bedding of Inmates in NSW* report (*Prison Greens* report), we recommended that all inmates should be issued with a jacket in winter as part of their clothing entitlements.⁸⁷ We considered that all inmates held within Goulburn Correctional Complex should be issued with a jacket without the requirement to submit a formal request.

Similarly, the minimum requirement for linen provided in the COPP consisted of one pillowcase, two sheets and two blankets.⁸⁸ In the *Prison Greens* report, we found that 'prison-issued bedding is insufficient in cold

85 Corrective Services NSW, *Custodial Operations Policy and Procedures – 1.5 Issuing Correctional Centre Clothing and Linen* (version 1.3, 16 March 2021) 5.

86 Australian Government, 'Goulburn, New South Wales: July 2021 Daily Weather Observations', *Bureau of Meteorology* (Web Page, 10 May 2022) <<http://www.bom.gov.au/climate/dwo/202107/html/IDCJDW2049.202107.shtml>>.

87 Inspector of Custodial Services, *Prison Greens: The Clothing and Bedding of Inmates in NSW* (Report, June 2017) recommendation 5.

88 Corrective Services NSW, *Custodial Operations Policy and Procedures – 1.5 Issuing Correctional Centre Clothing and Linen* (version 1.3, 16 March 2021) 7.

climates' and that 'all inmates should be provided with appropriate bedding for the climatic conditions'.⁸⁹ The governor of a correctional centre may issue additional bed linen depending on the climate or the inmate's health, however local operating procedures and a system should be in place to 'ensure linen is not freely available to inmates' and that it is accounted for.⁹⁰ Goulburn CC did not appear to be issuing more than this minimum allocation to inmates, despite the cold temperatures over winter and the poor insulation of the maximum and minimum security cells. Inmates who could afford to do so could purchase a doona and a doona cover set for \$27.95 and \$34.50 respectively.⁹¹ However, many inmates were unable to work and consequently may have struggled to afford these purchases. We considered that the allocation of linen should be increased.

Recommendation 16: Goulburn Correctional Complex issue winter jackets and doonas to all inmates as part of their standard clothing and bedding entitlements.

Aside from these issues, we found that the clothing storage space in the reception area was clean and well organised, with items neatly folded and clearly labelled. There was sufficient stock of new clothing and any used clothing appeared to be in good condition. There were also a number of packs containing clothing in various sizes, linen and hygiene items that could be immediately provided to newly arriving inmates. The storage area for linen was also observed to be clean and well organised with sufficient stock of blankets, sheets, pillowcases and towels.

1.4.2 Contact with family and legal representatives

Inmates in NSW correctional centres can maintain contact with family and friends in the community or legal representatives by telephone, mail, or in-person or virtual visits.

In-person and virtual visits

In response to the COVID-19 pandemic, for much of 2020 and 2021 in-person social visits to inmates in NSW correctional centres were either stopped entirely or were significantly restricted.⁹² Consequently, CSNSW increased the availability of virtual visits via AVL or tablets. Due to the installation of mobile-blocking technology across the Goulburn Correctional Complex, tablets could not be used at this location. However, AVL visits were available.

In the minimum security area of Goulburn CC, two AVL suites were located in the visits area. These AVL suites were only used for social visits on weekends, with a capacity of 14 visits per day. In maximum security there were four AVL suites located above the reception area. These were used for court appearances and legal and social visits. To avoid conflicting with court sitting times, AVL visits were scheduled from 5pm on Mondays, Tuesdays, Wednesdays and Thursdays, with a capacity of 20 visits per day. Each visit could be up to 25 minutes in duration. Goulburn CC advised that in the six months from August 2020 to February 2021, a total of 3,821 social visits had been conducted by AVL.⁹³ Generally, the inmates who spoke to us were positive about the increased availability of social visits by AVL.

In relation to the AVL area in maximum security, we observed that noise from the reception area could be heard inside the AVL suites, including sound from a radio in a nearby office. A message reminding people of the need to be quiet while courts were in session had been written on a whiteboard outside the AVL area.

89 Inspector of Custodial Services, *Prison Greens: The Clothing and Bedding of Inmates in NSW* (Report, June 2017) 29.

90 Corrective Services NSW, *Custodial Operations Policy and Procedures – 1.5 Issuing Correctional Centre Clothing and Linen* (version 1.3, 16 March 2021) 7.

91 Information provided by Goulburn Correctional Complex, 1 March 2021.

92 *Crimes (Administration of Sentences) Act 1999* s 275.

93 Information provided by Goulburn Correctional Complex, 1 March 2021.

Further, the AVL area was only accessible by a flight of stairs that would have been difficult for inmates with physical mobility issues to navigate. CSNSW should consider if this is a suitable location for AVL suites and ensure that the AVL suites at Goulburn CC are adequately soundproofed.

Recommendation 17: Corrective Services NSW review the location and suitability of Goulburn Correctional Centre's AVL suites.

At the time of the inspection, in-person social visits had resumed but at a reduced capacity due to COVID-19. Inmates could be visited by up to two adults and three children or three adults only and visits were limited to 50 minutes in length. All visitors aged 12 years and over were required to wear a face mask, as were inmates and CSNSW staff when interacting with visitors and inmates.⁹⁴

At Goulburn CC, in-person visits were conducted on weekends. In maximum security, up to 28 inmates per day could receive visitors. These visits were divided across seven timeslots during which up to four inmates could be visited. In minimum security up to 10 inmates per day could receive visitors. This occurred across five timeslots during which two inmates could be visited. Visits in both areas were 45 minutes in duration.⁹⁵

We observed processes for in-person visits during the inspection. All visitors entered Goulburn Correctional Complex at the same point where they undertook COVID-19 screening, which consisted of taking temperatures, ensuring people were wearing masks and hand sanitising. After the visitors were registered by the correctional officers on duty, they went through a metal detector and proceeded to the entrance points for maximum security and HRMCC or minimum security. Visitors attending maximum security or HRMCC underwent additional security screening before being escorted behind the secure perimeter to the relevant visits area.

The visits area in Goulburn CC maximum security was divided in two with one half for protection inmates and the other for normal discipline inmates. The visits area also included non-contact visit booths and four rooms for individual contact visits for inmates who may be at-risk or pose a risk in a larger visits area alongside other inmates. There were also a number of indoor and outdoor holding cells for inmates being processed prior to and following a visit, a body scanner, lockers and a staff office area. Holding cells were designated for protection or normal discipline inmates to ensure these cohorts were not held together.

We were informed that maximum security inmates were to be moved to the visits area once staff received notification that their visitor had arrived at the initial processing point. Inmates were provided with a locker key and a pair of overalls and were required to change into the overalls and place their clothing in the locker. When the visit was completed inmates were required to go through the body scanner and change into their clothing before being escorted back to their yards or cells.

In practice, there were several issues with this process. The only available space where inmates could change into and out of their overalls were open rooms with no privacy barriers. The room where inmates changed into their overalls was visible from the staff office area. Where the body scanner could not be used, inmates would be strip searched and there were no privacy barriers behind which this could occur. We were concerned that there was a risk that strip searches undertaken in this room would not meet the privacy requirements provided in the COPP.⁹⁶

94 Corrective Services NSW, *Commissioner's Instruction No: 05/2021* (4 February 2021).

95 Information provided by Goulburn Correctional Complex, 1 March 2021.

96 See Corrective Services NSW, *Custodial Operations Policy and Procedures – 17.1 Searching Inmates* (version 1.10, 20 January 2022) 11.

Visits area for maximum security normal discipline inmates



Area where maximum security inmates change into visits overalls



Further it appeared that the body scanner was not being utilised as the preferred alternative to strip searching following a contact visit. This was reportedly due to a lack of appropriately trained staff. Between January and March 2021, in-person visits occurred on nine weekends.⁹⁷ However, review of Goulburn CC's Inmate Body Scan Register showed that the body scanner was used to search inmates following visits on three dates during this period, on 13, 14 and 21 March 2021.⁹⁸ We also had concerns about the underutilisation of body scanners in the HRMCC (see section 2.5.1). Usage of body scanners needs to be increased across the Goulburn Correctional Complex.

Recommendation 18: Goulburn Correctional Complex increase the use of body scanners to search inmates.

Mail

The cessation of in-person social visits due to COVID-19 was widely considered to have limited the introduction of contraband into NSW correctional centres. To prevent contraband such as Buprenorphine strips from being concealed and introduced to correctional centres via inmate mail, CSNSW began photocopying all incoming mail except privileged mail (that is mail received from exempt persons or bodies including legal practitioners and the NSW Ombudsman).⁹⁹

The Commissioner of CSNSW instructed staff that colour photocopies of the mail, including the front and back of the envelope, should be delivered to the inmate and only destroyed after confirmation that the inmate had received the copy. Photographs were permitted to be issued to an inmate provided they had not been tampered with and the subject-matter was not prohibited or inappropriate. Official documents such as birth certificates were required to be provided to the inmate or stored in their property.¹⁰⁰

We heard complaints from multiple inmates about photocopied mail that was incomplete or of poor quality. For this process to be a viable and sustainable alternative to giving inmates their original mail documents, the responsible staff need to ensure that this task is performed to an acceptable standard with minimal error. Goulburn CC management staff should consider implementing a quality assurance process for photocopied

97 Information provided by Goulburn Correctional Complex, 31 May 2021. In-person visits did not occur on some weekends due to COVID-19 restrictions and staff absences.

98 Information provided by Goulburn Correctional Complex, 31 May 2021.

99 This is permitted under the *Crimes (Administration of Sentences) Regulation 2014* cl 112, unless the letter or parcel is addressed to or received from an 'exempt body' or an 'exempt person' as defined in the *Crimes (Administration of Sentences) Regulation 2014* cl 3.

100 Corrective Services NSW, *Commissioner's Instruction No: 86/2020* (26 November 2020).

mail to ensure that this is the case. In April 2022, CSNSW advised that Goulburn Correctional Complex management planned to introduce a process of quality sampling copies of inmate mail.¹⁰¹

Recommendation 19: Goulburn Correctional Complex implement a quality assurance process for photocopied inmate mail.

Telephone access

The ICS Standards provide that there should be ‘a sufficient number of telephones so that inmates are able to gain reasonable access and be able to speak for a reasonable time, without disadvantaging other inmates’ and suggests a guide of one telephone per 20 inmates.¹⁰²

In maximum security, there were two telephones per yard, which added up to a total of 22 telephones available to maximum security inmates. No telephones were located in the maximum security industry areas. In minimum security there were four telephones in the accommodation unit – one telephone per deck – and there was one telephone in the demountables industry, a total of five telephones available to minimum security inmates. Given that at the time of the inspection up to 400 inmates could be held in maximum security and up to 120 could be held in minimum security, the total number of telephones in each area satisfied the guide of one telephone per 20 inmates.

However, in maximum security, the locations of the telephones and out of cell hours limited the accessibility of inmate telephones, particularly for working inmates. In the morning, maximum security inmates were moved straight from their cells to industries. Working inmates were moved back to their yards from around 12.30pm to ensure they had sufficient time to shower and make telephone calls before lock-in commenced at 2.30pm. Installing telephones in the maximum security industry areas would allow these inmates to make telephone calls during their work breaks and at different times of the day.

We observed that this issue was less prominent for minimum security inmates. However, it may be that there was less demand for phones at the time of the inspection because the population in minimum security was around 60% of its capacity. Staff expected that the change from a normal discipline to protection inmate population would increase the number of inmates in minimum security, in which case the level of demand for telephones was likely to grow.

In April 2022, CSNSW advised that an additional six telephones had been ordered for inmate work locations and that infrastructure was being installed at Goulburn CC for the rollout of inmate tablets. Once implemented, both initiatives should provide inmates with increased opportunities to speak with their approved contacts.¹⁰³

Recommendation 20: Corrective Services NSW install inmate telephones in inmate work areas at Goulburn Correction Centre.

1.4.3 Inmate development committees

Inmate development committees (IDCs) provide a forum in which inmates, via nominated inmate representatives, can raise issues of concern regarding services, programs and activities with the management staff of a correctional centre.¹⁰⁴

101 Information provided by Corrective Services NSW, 6 April 2022.

102 Inspector of Custodial Services, *Inspection Standards for Adult Custodial Services in New South Wales* (May 2020) standard 105.2.

103 Information provided by Corrective Services NSW, 6 April 2022.

104 Corrective Services NSW, *Custodial Operations Policy and Procedures – 9.8 Inmate Development Committee* (version 1.2, 12 March 2020) 4.

Goulburn CC had three IDCs – one for maximum security protection inmates, one for maximum security normal discipline inmates and one for minimum security inmates. We reviewed the minutes from the four meetings of each IDC that occurred prior to the inspection. These minutes suggested that IDC meetings were occurring on a regular monthly basis, as required by the COPP.¹⁰⁵

We met with the inmate representatives for all three IDCs on the first day of the inspection. The two meetings with the maximum security normal discipline and protection IDC representatives occurred in an open office space in the Circle and it was confirmed by staff and inmates that this was the regular location for IDC meetings. This space was a thoroughfare for staff moving in and out of the maximum security area. It was also the central office space for correctional officers working in maximum security and led to the satellite health centre and other staff offices. The unavoidable lack of privacy and interruptions of meeting in this space make it an entirely inappropriate location for IDC meetings. We have since been advised that IDC meetings will occur in G Block.¹⁰⁶

Recommendation 21: Goulburn Correctional Centre ensures that meetings of the maximum security inmate development committees occur in an appropriate location.

According to the COPP, IDCs are supposed to develop and promote ‘positive dialogue and understanding between staff and inmates’ and help correctional centre management deal with ‘conflicts and difficulties that may otherwise adversely affect correctional centre life’.¹⁰⁷ The IDC meeting minutes we reviewed were brief. Where staff have undertaken to do follow-up work on an agenda item, progress should be reported at the subsequent IDC meeting. This helps ensure that issues raised through the IDC process are actioned, that there is consistency in the implementation of resolutions and that any decisions that are changed are explained to inmates and recorded. In April 2022, CSNSW advised that an agenda would be set for future IDC meetings.¹⁰⁸

Recommendation 22: Goulburn Correctional Centre improve transparency regarding the resolution of items raised by its inmate development committees.

1.4.4 Cultural support for Aboriginal inmates

On 18 March 2021, a few days before the beginning of the inspection, there were a total of 79 Aboriginal men, two Torres Strait Islander men and one Aboriginal and Torres Strait Islander man held in Goulburn CC. Of this group, eight Aboriginal men and one Torres Strait Islander man were in minimum security. Most of this group were located in maximum security in Unit 2 (29 men) and Unit 3 (34 men). In addition to these totals, there were two Aboriginal men held on segregation orders in HRMCC Area 2.¹⁰⁹

On 25 February 2021, Goulburn Correctional Complex had eight staff members who identified as Aboriginal people, around 2.5% of the 323 staff members at that date.¹¹⁰ This included an identified Aboriginal SAPO position, however this employee was on secondment at the time of the inspection.

Information provided by Goulburn Correctional Complex indicated that there were limited specific services available for Aboriginal inmates. Some inmates were engaged with the Time to Work Employment Service, an initiative of the Commonwealth Government’s Department of Education, Skills and Employment to assist

105 Corrective Services NSW, *Custodial Operations Policy and Procedures – 9.8 Inmate Development Committee* (version 1.2, 12 March 2020) 4.

106 Information provided by Corrective Services NSW, 6 April 2022.

107 Corrective Services NSW, *Custodial Operations Policy and Procedures – 9.8 Inmate Development Committee* (version 1.2, 12 March 2020) 4.

108 Information provided by Corrective Services NSW, 6 April 2022.

109 Information provided by Goulburn Correctional Complex, 19 March 2021.

110 Information provided by Goulburn Correctional Complex, 1 March 2021.

sentenced Aboriginal and Torres Strait Islander inmates find employment upon their release from custody.¹¹¹ However, due to COVID-19 this was being conducted by AVL. The Aboriginal Cultural Strengthening Program and the Dads and Family (Aboriginal Babiin-Miyagang) Program could also be offered at Goulburn CC. However, neither program had been delivered during the 12 months from February 2020 to January 2021 and were not being delivered at the time of the inspection. In August 2020, a program called 'Didge in a Day' was facilitated at Goulburn CC with seven Aboriginal inmates. A NAIDOC art competition was open to inmates across correctional centres at the time of the inspection.

The Aboriginal men placed in Unit 3 were generally held together in the same yard, known as the 'Koori yard'. This group spent their time out of cells in the yard and had no access to work (except as Unit 3 cleaners), education or anything that could be described as purposeful activity. Previously, this group of inmates had access to work in the Nura Warra Umer Creative Works Centre however this workshop had ceased to operate at Goulburn CC (see section 1.5.4). While some yard groups rotated around the different physical yard spaces, we were informed that this group were fixed in the yard with the least sunlight because inmates had allegedly been 'acting up' (see section 1.2.2).

Across Goulburn CC, we found very low levels of wellbeing among Aboriginal men. They had no access to Elders and no space where they could connect with culture and each other, such as a yarning circle. In addition, we both witnessed and heard about incidents that suggested some staff members held negative, discriminatory views about Aboriginal people and lacked cultural competence in their interactions with Aboriginal inmates. We were of the view that staff across Goulburn Correctional Complex would benefit from Aboriginal Cultural Awareness training in order to better equip them with the understanding and skills required to help address the specific needs of Aboriginal inmates.

Recommendation 23: Goulburn Correctional Complex require all staff to complete Aboriginal Cultural Awareness training.

1.4.5 Support for religious inmates

Goulburn Correctional Complex had a full-time Anglican chaplain and a full-time Catholic chaplain. Muslim chaplains attended Goulburn Correctional Complex two to three days per week and a Buddhist chaplain attended once per fortnight. Sessional and Salvation Army chaplains also assisted in the provision of chaplaincy services. This staffing profile provided chaplaincy services for both Goulburn CC and the HRMCC.

The chaplaincy at Goulburn CC provided religious services to one yard of inmates at a time. To ensure that the inmates in each yard received equitable access the chaplains were delivering religious services almost every weekday. In addition to religious services, the chaplaincy provided pastoral care to inmates and facilitated courses including the Positive Lifestyle Program which ran for around half-a-day once a week.

At the time of the inspection, the chapel in Goulburn CC was not being used as it was difficult to access and there were concerns about its security. Instead, a room in G Block had been converted into a chapel and this arrangement was considered to be working well. However, access to inmates was generally a challenge for the provision of chaplaincy services. The chaplains aimed to address this by making themselves available in the areas where inmates were located, for example by engaging with inmates through the fences of the yards or in the workshops and allocating a weekly time to visit inmates placed on segregation.

¹¹¹ See Australian Government, 'Time to Work Employment Service', *Department of Education, Skills and Employment* (Web Page, 11 March 2022) <<https://www.dese.gov.au/time-work-employment-service>>.

These challenges aside, the chaplaincy at Goulburn CC seemed to be adequately resourced and operating well in providing fundamental chaplaincy services to inmates. However, it was noted that the size of Goulburn Correctional Complex and the number of inmates left little time for the chaplains to engage in lengthier and deeper interactions with interested inmates.

1.4.6 Access to purposeful activity

In maximum security, inmate library access was facilitated through 'satellite libraries' where a selection of books was taken to each unit and rotated after a period. However, we heard that this selection was often small and there were rarely any new additions to the materials circulated. In minimum security, inmates had access to the library twice per week and daily access to a selection of books situated in the main corridors of the accommodation building. The library located in the minimum security area appeared to be well-maintained and stocked with a wide variety of reading materials.

Maximum security inmates also had timetabled access to an oval and activities area. This area included a running track, volleyball court, and gym and sporting equipment, including balls for basketball, soccer and football; skipping ropes and focus pads and mitts. The timetable provided access by inmate yard to the oval and activities area at different times, so no two groups attend this area at the same time. However, during the inspection we were informed that a new segregation unit was to be constructed on the oval, due for completion in 2022 and inmate access to this space will be lost.

1.5 Rehabilitation

1.5.1 Access to inmates

One of the four objects of the *Crimes (Administration of Sentences) Act 1999* is ‘to provide for the rehabilitation of offenders with a view to their reintegration into the general community’.¹¹² This aligns with the Premier’s Priority to reduce adult reoffending following release from prison by 5% by 2023.¹¹³

We found that rehabilitation and community reintegration were not prioritised in the operation of Goulburn CC. Access for inmates to programs, employment and education was very limited. Nor did there appear to be much awareness of the role of correctional centres in enhancing community safety through offender rehabilitation. The focus was predominantly on the containment of inmates to yards or cells and the controlled movement of inmates between these locations. The safe movement and containment of inmates should be a high priority, however this must co-exist with ensuring that inmates have access to rehabilitation services such as work, programs and education.

Consequently, the primary barrier to staff providing case management, programs, employment and education was access to inmates. In maximum security, staff delivering programs, education, psychology and chaplaincy services were based in G Block, requiring inmates to be moved from their cells or yards to attend programs, meetings with staff or religious services. These movements were reportedly time consuming, frequently leaving insufficient time to deliver a session of a program or an education course before inmates needed to be moved back to their cells or yards for head counts and meal distribution. These movements also needed to account for groups of inmates who could not associate. Custodial staff absences also created challenges.

It should not be assumed that all inmates will progress to a lower security classification and setting, where programs, work, education and other rehabilitation activities may be more accessible. From 1 April 2020 to 31 March 2021, 158 inmates were released directly from maximum security in Goulburn CC to the community. Of these, 144 inmates were released on parole and 14 were released due to the expiration of their custodial sentence.¹¹⁴ It is critically important that inmates are able to access programs, work and education within maximum security environments to give them the best opportunity to live a lawful life in the community.

In April 2022, CSNSW advised that a review of operations would be undertaken when inmate yards in maximum security were aligned with work locations and this should improve inmate access to services located in G Block.¹¹⁵

Recommendation 24: Goulburn Correctional Centre improve inmate access to the staff and services located in G Block.

112 *Crimes (Administration of Sentences) Act 1999* s 2A(1)(d).

113 NSW Government, ‘Reducing Recidivism in the Prison Population’, *Premier’s Priorities* (Web Page) <<https://www.nsw.gov.au/premiers-priorities/reducing-recidivism-prison-population>>.

114 Information provided by Corrective Services NSW, 2 June 2021.

115 Information provided by Corrective Services NSW, 6 April 2022.

1.5.2 Case planning and management

The CMU at Goulburn CC was established in September 2018 and at the time of the inspection had a staffing profile of one functional manager, two senior case management officers and seven case management officers.

The purpose of case planning and management is for staff to work with inmates to identify interventions, and motivate inmates to complete these interventions, to reduce their risk of reoffending. CMUs use assessments that aim to identify the individual risks and needs of inmates and develop an individualised case plan that outlines the programs and activities that an inmate should undertake during their sentence. On 5 February 2021, 271 inmates at Goulburn CC had a current case plan.¹¹⁶

The CMU had two offices in the Circle in which they could conduct interviews with inmates, providing them with greater access to inmates than those staff relying on inmates being moved to G Block. Some CMU staff were previously correctional officers, and it was thought that this enhanced the relationship between the CMU and custodial staff, facilitating their access to inmates. Overall, the CMU at Goulburn CC appeared to be working well.

1.5.3 Programs and interventions

In the 12 months from February 2020 to January 2021, OS&P staff at Goulburn CC facilitated criminogenic and wellbeing programs including the Explore, Question, Understand, Investigate, Practice and Succeed (EQUIPS) suite of programs, a Mini Dads at a Distance pilot program and Health Survival Tips. The Addictions Support Group and Remand Domestic Violence Intervention programs were facilitated for unsentenced inmates and NEXUS was delivered to inmates preparing for their release from custody.¹¹⁷

Minimum security programs and education room



Unit 3 computer and interview room



Goulburn CC also offered a program called 'Getting EQUIP'd'. This program consisted of a series of booklets that guided inmates through self-reflective and mindfulness activities, including one that specifically addressed coping strategies for people with addiction issues. The booklets were developed in 2020 in response to the suspension of group sessions due to COVID-19. The use of booklets meant that inmates

¹¹⁶ Information provided by Goulburn Correctional Complex, 1 March 2021.

¹¹⁷ Information provided by Corrective Services NSW, 1 March 2021.

could undertake these activities in their cells, providing an option for inmates who could not participate in group sessions, such as those subject to a segregation order or protection inmates. Although it would be ideal for such activities to be undertaken in a face-to-face setting, 'Getting EQUIP'd' appeared to provide a reasonable alternative where that was not an option, offering those inmates some level of intervention and support.

As noted above, the facilitation of programs at Goulburn CC required inmates to be moved to G Block. Inmate access to G Block required four custodial posts, with one correctional officer supervising meetings between inmates and SAPOs or psychologists upstairs, one supervising program and education rooms downstairs and two escorting inmates after they were moved to G Block. Staff provided a list of inmates they needed to see to ensure that movements to G Block were arranged by correctional officers. However, we heard that if there was a staffing shortage or an incident the correctional officers staffing the G Block posts would often be redeployed elsewhere, preventing inmate access to G Block and the services operating there.

We heard that staff delivering programs had no alternative to using the spaces available in G Block. One SAPO had an office space in the Circle, which was closer to inmates. However, this SAPO was responsible for screening new inmates entering custody at Goulburn CC and Goulburn CC ceased receiving new inmates from the community due to COVID-19 quarantine requirements. We heard that other programs staff were not permitted to work with inmates from this office or from interview spaces attached to the accommodation units. We were of the view that given the difficulties associated with providing programs to the range of different inmate cohorts at Goulburn CC, a more flexible approach was needed to ensure programs staff could utilise available spaces across the maximum security area.

1.5.4 Employment

To the credit of Goulburn CC's CSI staff, the minimum and maximum security industries appeared to operate productively and provided employed inmates with opportunities for complementary vocational education and training. Across worksites, we heard that there was sufficient work for the inmate worker profile and observed inmates and staff working collaboratively and efficiently. Table 4 details the employment opportunities facilitated at Goulburn CC.

Demountables industry



Food services industry



We considered that the operation of industries and levels of inmate employment in the maximum security area was particularly laudable given the difficulties related to the infrastructure and inmate movements and associations. This included some remand inmates having access to work in the Furniture workshop,

although managing inmate absences caused by their unresolved legal matters, for example due to court appearances and meetings with legal representatives, was reportedly a challenge.

Table 4: Inmate employment profile at Goulburn CC¹¹⁸

Industry	Capacity	Security classification	Description
Demountables	45	Minimum	Inmates refurbished demountable classrooms for the Department of Education, including removing asbestos and installing air conditioning and new power points.
Food services	30	Minimum	Inmates prepared special diet and vegetarian meals for inmates around NSW and salads for inmates at Goulburn CC, Cooma Correctional Centre and Queanbeyan Court Cell Complex.
Community projects and external grounds	10	Minimum	The work of the community projects and external grounds team had been significantly impacted by COVID-19. At the time of the inspection, they were maintaining the grounds of Goulburn CC and Berrima Correctional Centre.
Officer's mess	5	Minimum	Inmates work in the officer's break area.
Furniture	45	Maximum	Inmates made office furniture for other government agencies and some local customers.
Laundry	15	Maximum	Inmates laundered the clothing and linen of Goulburn CC and HRMCC inmates.
Textiles	75	Maximum	Inmates manufactured inmate clothing. This workshop was also making cloth face masks for staff and people released into the community.
Clerks	3	Maximum	Administrative support to Goulburn CC staff.
Aboriginal delegates	3	Maximum & minimum	Aboriginal delegates represented Aboriginal inmates on the protection maximum security, normal discipline maximum security and minimum security IDCs (one Aboriginal delegate on each IDC).
Maintenance and internal grounds	35	Maximum & minimum	Inmates undertook maintenance tasks such as lawn mowing, gardening and painting.
General services	45	Maximum & minimum	Other work supporting the self-sufficiency of Goulburn Correctional Complex.
Total	311		

However, not all inmates in maximum security were able to access employment. This was because each industry drew its workforce from particular units and yard cohorts to reduce possible conflicts between workers:

- Furniture workshop: inmates from the brown ('Mixed yard') and the green ('Aussie/Asian yard') groups in Unit 3 and remand inmates from Unit 4.
- Textiles workshops: protection inmates from Units 1 and 2.
- Laundry: Unit 1 protection inmates.

¹¹⁸ Information provided by Goulburn Correctional Complex, 1 March 2021.

Consequently, inmates allocated to the blue ('Lebanese yard'), orange (an OMCG yard) and red ('Koori yard') groups had no access to work, except for a limited number employed as Unit 3 'sweepers', a role involving cleaning duties and meal distribution. It was particularly unfortunate that the racialised yard groupings also resulted in the denial of work for people with certain racial and cultural backgrounds, further reinforcing discriminatory stereotypes about these inmates.

As noted previously, Aboriginal men had been able to work in the Nura Warra Umer Creative Works Centre, a cultural arts program. However, at the time of the inspection this industry was no longer operating at Goulburn CC and had been closed for some time. We were informed that Nura Warra Umer closed after the staff member facilitating the program accepted a voluntary redundancy and that in the lead up to this there had been a waning level of engagement with the program among Aboriginal inmates. There seemed to be no possibility that the program would be re-established at Goulburn CC, although there was a belief that it might be at a different correctional centre. At the time of the inspection no decisions had been made about how or if the old workshop would be used.

Nura Warra Umer Creative Works Centre



Furniture workshop



We heard that discussions had taken place regarding the establishment of a 'worker's yard' where employed inmates, or those who wanted to work, could be placed together. We are generally supportive of this initiative. However, it should be noted that there is a risk that inmates would not want to leave 'their' yards and that the inmates without access to work would continue not to work for this reason. Therefore, it is important that the implementation of this strategy is accompanied by active and ongoing engagement between staff and inmates about the work opportunities on offer at Goulburn CC and associated benefits.

As noted previously, in April 2022 CSNSW advised that CSI had commenced planning for additional industries that would provide work for maximum security inmates. Goulburn CC planned to align yard groupings with inmate work locations.¹¹⁹ We will continue to monitor these developments and the extent to which they improve inmate access to work.

Recommendation 25: Goulburn Correctional Centre establish a yard or yards grouping inmates who are or who want to be employed.

¹¹⁹ Information provided by Corrective Services NSW, 6 April 2021.

1.5.5 Education

At the time of the inspection, the education offerings at Goulburn CC were very limited. The staffing profile consisted of an education services coordinator and an assessment and planning officer. However, the education services coordinator position had been vacant for some time and recruitment to fill this position was completed soon before the inspection commenced. Hopefully this will improve the accessibility of education services at Goulburn CC.

Table 5 shows the education and vocational training offered to inmates at Goulburn CC in the 12 months from February 2020 to January 2021, and the number of participating inmates over this period. Although core skills assessments and education and employment planning¹²⁰ appeared to be occurring for a large number of inmates, it seemed there were only limited opportunities for inmates to address the educational needs and goals identified through this process. This was particularly concerning in relation to those assessed as requiring literacy and numeracy education who may not have been able to access foundation skills programs.

Table 5: Goulburn CC education and vocational training, February 2020 to January 2021¹²¹

Education type	Courses offered	Recorded participants
Foundation skills programs	Literacy, language and numeracy (LLN) level 1	16
	LLN level 2	18
Vocational training programs	Cleaning operations	5
	Construction	11
Workplace training	Asbestos	21
	Crane	5
	Dogging	6
	Food safety	17
	Forklift	6
	White card (CIC)	31
Traineeships/Apprenticeships	Laundry operations	19 in total
	Construction pathways	
	Kitchen operations	
Other	Core skills assessment & education and employment planning	243
	Driver knowledge test	79
	Barber hygiene	1
	Library services (providing books and magazines to inmates)	N/A

¹²⁰ The purpose of core skills assessments is to indicate an inmate's Australian Core Skills Framework level. This is used by CSNSW to identify those inmates with low literacy and numeracy skills who are deemed eligible to undertake foundation skills programs. Core skills assessment results and other information about an inmate informs an education and employment plan outlining the education and employment activities an inmate should undertake during their time in custody. See Inspector of Custodial Services, *Programs, Employment and Education Inspection* (Report, February 2020).

¹²¹ Information provided by Corrective Services NSW, 1 March 2021.

Facilitating education in G Block was challenging due to the time constraints created by movements to and from the units and association issues between some inmates. There was also concern that attempting to do this would result in shrinking numbers in classes and education courses therefore becoming unviable. Consequently, education courses for maximum security inmates were delivered in rooms attached to industries. However, this meant that education was limited to those who worked and that those who did not or could not work could not access education, denying unemployed inmates an opportunity to use their time constructively.

Recommendation 26: Goulburn Correctional Centre increase access to education for inmates, particularly those held in maximum security.

2 High Risk Management Correctional Centre

2.1 Background to the inspection

2.1.1 Previous inspection

The HRMCC was first inspected in 2016 as part of a thematic review concerning the management of radicalised inmates in NSW. The HRMCC was one of four custodial centres selected for the inspection because it holds high risk violent extremists and convicted terrorists under a strict maximum security regime.¹²² The report was tabled in NSW Parliament in June 2018 and made 50 recommendations to improve the management of radicalised inmates.¹²³ As at 30 June 2021, relevant agencies had implemented 45 of these recommendations.¹²⁴

The 2016 inspection found that the HRMCC was housing large numbers of unconvicted remand inmates charged with national security offences and was not designed to do so, adversely impacting inmate access to legal representatives and visits with family.¹²⁵ National security can be a legitimate reason for encroaching on usual inmate entitlements. However, we found some security protocols unreasonably interfered with confidential and privileged legal communications and the ability of unconvicted inmates to prepare for trial.¹²⁶ During this inspection we were pleased to find that secure laptops had been provided to remand inmates, allowing them to access legal materials, alleviating some of the difficulties we had previously identified.

There was also a group of inmates at the HRMCC who were either ready to disengage or capable of disengaging from extremism. However, the rehabilitation of these inmates was being hindered by the high security environment of the HRMCC. The behaviour management regime that applied to all inmates was not designed to manage violent extremists and we were concerned this could exacerbate radical tendencies and generate a group identity based on shared grievances, driving hostility toward HRMCC staff. There were also limited education services and no work opportunities or programs. We found that inmate rehabilitation and disengagement could be enhanced through specialised training for staff working with radicalised inmates and in high security settings, individual risk assessments and case plans, and the provision of education, activities and programs.¹²⁷

At the time the report was published, CSNSW announced that it was expanding and increasing the capacity of the HRMCC, as well as setting up a pathway out of the HRMCC for inmates who had demonstrated a commitment to disengaging from radicalisation or who were vulnerable to the influence of highly radicalised inmates.¹²⁸ Refurbishment of the original HRMCC, now known as HRMCC Area 1, has since been completed, increasing the number of AVL suites for family and legal visitors as well as contact and non-contact visit areas. In addition, Goulburn CC's MPU was refurbished and repurposed as HRMCC Area 2. During the inspection it was being used to hold inmates participating in the PATHS model (see section 2.6.2). In response to our report, CSNSW also committed to reviewing its existing decision-making and accountability arrangements for national security inmates and violent extremists to enhance the management of these offenders.¹²⁹

122 Inspector of Custodial Services, *The Management of Radicalised Inmates in NSW* (Report, May 2018) 10.

123 'The Management of Radicalised Inmates in NSW', *Inspector of Custodial Services* (Web Page, 18 November 2020) <<https://www.inspectorcustodial.nsw.gov.au/inspector-of-custodial-services/reports-and-publications/inspection-reports/adult-reports/the-management-of-radicalised-inmates-in-nsw.html>>.

124 Inspector of Custodial Services, *Annual Report 2020–21* (Report, October 2021) 58–60.

125 Inspector of Custodial Services, *The Management of Radicalised Inmates in NSW* (Report, May 2018) 10–11.

126 Inspector of Custodial Services, *The Management of Radicalised Inmates in NSW* (Report, May 2018) 11, 52.

127 Inspector of Custodial Services, *The Management of Radicalised Inmates in NSW* (Report, May 2018) 10.

128 Inspector of Custodial Services, *The Management of Radicalised Inmates in NSW* (Report, May 2018) 11.

129 Inspector of Custodial Services, *The Management of Radicalised Inmates in NSW* (Report, May 2018) 10.

Unlike the previous inspection of the HRMCC, this inspection considered the conditions and treatment of all inmates accommodated in the HRMCC. It also provided an opportunity to assess the implementation of our earlier recommendations and identify any emerging issues.

2.1.2 'Supermax' prisons

The HRMCC is often colloquially referred to as 'supermax'. The concept of supermaximum, or 'supermax', prisons, originated in the United States¹³⁰ and typically refers to those facilities holding inmates who have committed terrorist related offences or who pose a serious threat to either the wider community or to other inmates and staff.

Inmates in supermax prisons are often subject to restrictive regimes, including long periods confined in their cells (sometimes up to 23 hours a day), restrictions on how many people they associate with and on undertaking programs and activities.¹³¹ Consequently, inmates in these facilities may have minimal contact with other inmates or correctional staff.¹³²

The United Nations Human Rights Committee has raised concerns about prisoners spending extended periods alone in their cells, highlighting this is incompatible with obligations contained in the International Covenant on Civil and Political Rights.¹³³ The United Nations Committee against Torture has specifically criticised the 'harsh regime' of 'supermax' prisons in the United States, including the prolonged isolation of prisoners in these environments and subsequent negative impacts on their mental health.¹³⁴ Consistent with this, the Mandela Rules and the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment both provide that solitary confinement should be an exceptional measure only employed as a last resort for the shortest possible time, entailing no more deprivation than necessary.¹³⁵

We consider that the use of the term 'supermax' to describe the HRMCC is unhelpful. The HRMCC manages inmates with differing risks and needs, who have been placed there for different reasons. Legislative protections and custodial procedures aim to ensure the humane treatment of extreme high risk inmates whilst maintaining the safety of staff and other inmates. However, the concept of supermax prisons risks sending the message that the purpose of the HRMCC is solely containment and security. This can encourage an inflexible approach to inmate management that fails to address individual risks and needs and that enables custodial staff to use security as a rationale for sub-optimal and poor practice. It also locks custodial staff into focusing on the risk that inmates may pose, rather than addressing the reasons for their placement in the HRMCC. In addition, as found in our previous inspection, this risks reinforcing or inviting behaviour from inmates that they see befits a person housed in a supermax prison.¹³⁶

130 Jeffrey Ian Ross, 'The Invention of the American Supermax Prison' in Jeffrey Ian Ross (ed) *The Globalization of Supermax Prisons* (Rutgers University Press, 2013).

131 Jeffrey Ian Ross, 'The Invention of the American Supermax Prison' in Jeffrey Ian Ross (ed) *The Globalization of Supermax Prisons* (Rutgers University Press, 2013) 16–17.

132 Jeffrey Ian Ross, 'The Invention of the American Supermax Prison' in Jeffrey Ian Ross (ed) *The Globalization of Supermax Prisons* (Rutgers University Press, 2013) 16–17.

133 Human Rights Committee, *General Comment 20: Article 7 (Prohibition of Torture, or Other Cruel, Inhuman or Degrading Treatment or Punishment)*, 44th sess (10 March 1992) [6].

134 Committee against Torture, *Conclusions and Recommendations of the Committee against Torture: United States of America*, 36th sess, UN Doc CAT/C/USA/CO/2, (25 July 2006) [36].

135 *United Nations Standard Minimum Rules for the Treatment of Prisoners*, GA Res 70/175, UN Doc A/RES/70/175 (8 January 2016, adopted 17 December 2015) rule 45; European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT), 21st *General Report of the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment* (Annual Report, 10 November 2011) 39–50. The CPT was created under the European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment to monitor the treatment of prisoners in Council of Europe nations and to recommend measures to strengthen protections from torture or other inhuman or degrading treatment.

136 Inspector of Custodial Services, *The Management of Radicalised Inmates in NSW* (Report, May 2018) 63.

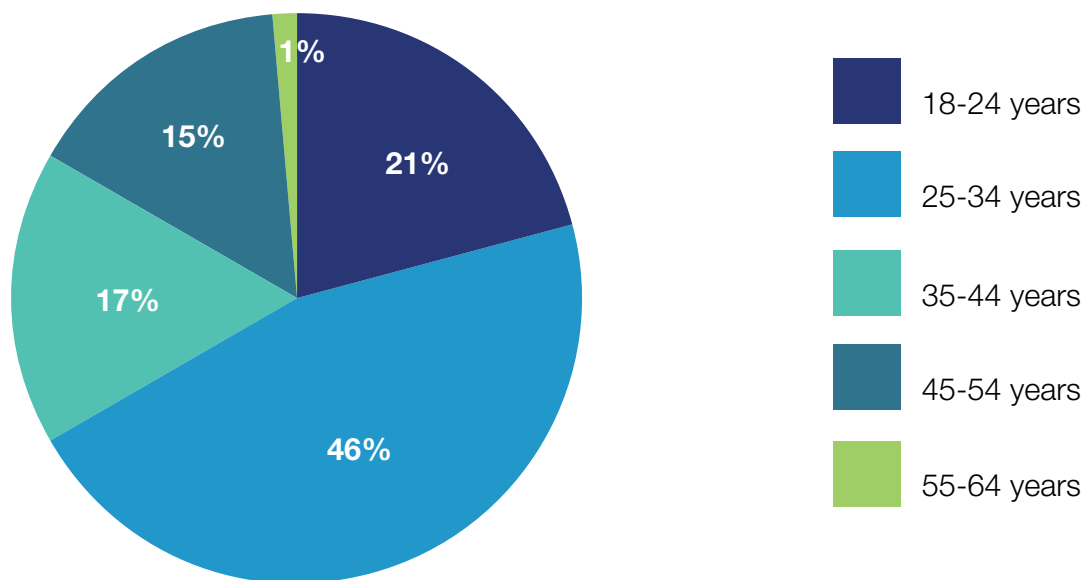
2.2 Inmate profile

On 21 February 2021, there were 72 inmates across the HRMCC.

Most of these 72 inmates were sentenced (84.7% or 61 inmates) and 11 were on remand (15.3%). The average time on remand for HRMCC inmates was 545 days, the longest period being 1,657 days. The most serious offence category for 34 inmates was offences against justice procedures, government security and government operations, followed by homicide and related offences (21 inmates) and acts intended to cause injury (seven inmates).

The HRMCC had a young inmate age profile. As shown by Figure 3, 67% of inmates held at the HRMCC on 21 February 2021 were under the age of 35 years.

Figure 3: HRMCC inmate ages on 21 February 2021



On 21 February 2021, 23.6% of the 72 inmates in the HRMCC were Aboriginal men (17 men in total). Many inmates identified their cultural background as Australian (44.4% or 32 inmates). The next largest cultural group was North African and Middle Eastern (33.3% or 24 inmates), followed by Southern and Central Asian (12.5% or nine inmates) and Oceanian (8.3% or six inmates).

Most inmates were born in Australia (68.1% or 49 inmates), followed by Lebanon (6.9% or five inmates) and Afghanistan (5.6% or four inmates). Most inmates spoke English at home (75% or 54 inmates) followed by Arabic (22.2% or 16 inmates) and Samoan (two inmates). No inmates required an interpreter. The largest religious group was Muslim (72.2% or 52 inmates), Christian (5.6% or four inmates) and Catholic (two inmates). Eleven inmates (15.3%) had no preferred religion.¹³⁷

¹³⁷ The data in section 2.2 was provided by Corrective Services NSW, 2 March 2021.

2.3 Custody

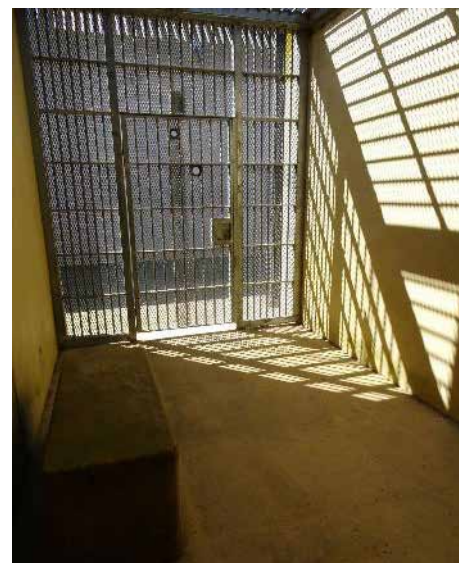
2.3.1 Physical environment

In 2019, substantial capital works increased the operational capacity of the HRMCC to 128 inmates across two areas. HRMCC Area 1 can hold up to 75 inmates. It consists of three accommodation units (Units 7, 8 and 9), a health centre, areas for contact and non-contact visits, AVL suites, secure interview rooms for meetings between staff and inmates and multiple outdoor yard areas. All cells accommodate one inmate and contain a bed, shower, toilet, sink, shelving and a secure yard. HRMCC Area 1 accommodates maximum security inmates considered to pose an ongoing extreme threat to the order and security of the correctional system, as well as inmates charged with national security related offences.

Cell in HRMCC Area 1



Rear yard of a cell in HRMCC Area 1



HRMCC Area 2 can hold up to 53 inmates. It is located separately to HRMCC Area 1 and was originally a 55-bed MPU for Goulburn CC, which opened in the 1960s. The new HRMCC Area 2 was redesigned to accommodate inmates moving from Area 1. Its larger common areas and program rooms distinguish the design of HRMCC Area 2 from Area 1, reflecting its intended purpose.

HRMCC Area 2 consists of four accommodation areas (A-, B-, C- and D-decks), two observation cells and a step-down cell, a satellite health centre, programs rooms, and a visits area with capacity for contact, non-contact and AVL visits. Each cell was equipped with a bed, shower, toilet and sink, shelving and a desk and had access to a secure yard space. Most cells were designed to accommodate one inmate, although some cells had capacity for two. We observed that the double-cells appeared sufficiently large for two people, but the showers and toilets provided no privacy between cellmates. At the time of the inspection, B-deck was used to hold inmates participating in the PATHS model and C- and D-decks were holding Goulburn CC inmates subject to segregation or separation orders. For reasons discussed in section 2.6.2, A-deck was empty.

The repurposing of the Goulburn CC MPU into HRMCC Area 2 occurred before the work in the original HRMCC commenced. This enabled CSNSW to close the original HRMCC and temporarily relocate HRMCC inmates into Area 2.

HRMCC Area 2 A-deck single cell



HRMCC Area 2 A-deck two-person cell



The architecture of facilities for special high security regimes should not be capable of being construed as cruel or unusual punishment.¹³⁸ Before the infrastructure upgrade the HRMCC struggled to provide visits, exercise, associations and access to phones. However, during this inspection we found the renovated HRMCC Area 1 to be a suitable, functional, and fit-for-purpose high security facility.

The installation of hatches in the cell doors provided better access to phone calls by enabling a secure cordless phone to be taken to each cell, removing the need for inmates to be escorted from their cells to a caged telephone booth. The hatches also facilitated more efficient distribution of meals and medication. The creation of more external exercise yards by dividing larger spaces allowed inmates to have more regular access to outdoor exercise with approved inmate associates. The installation of additional AVL suites was an asset and they were well-utilised for court attendances, legal visits, and family visits. A redesign of the visits area also provided areas for contact and non-contact in-person visits.

The cells in Units 8 and 9 of HRMCC Area 1 are accessed through day rooms that can be secured and observed from the officers' station. Each day room provides access to two or three cells. At the time of our previous inspection, the day rooms were being used to provide time out of cells and to facilitate approved inmate associations. As part of the infrastructure works, CCTV was installed to allow for better supervision by correctional officers. It was therefore disappointing to see that the day rooms were no longer in use (see section 2.3.4).

Although the refurbishment provided a number of improvements, we observed a small number of design flaws. The privacy screen for the toilets in one of the external exercise yards afforded no privacy and the toilet was in full view of an internal corridor (see photograph). The doors to the AVL suites in the units of HRMCC Area 1 were not reinforced and were made from timber. These doors also did not have a hatch through which handcuffs could be fitted and removed while the door was locked. The safe cell door was solid and did not have a window to allow custodial officers to observe inmates. The risks associated with poor design in a high security unit were observed on inspection when an inmate attempted to break down the door of an AVL suite after being left unsupervised (see section 2.3.4).

¹³⁸ Inspector of Custodial Services, *Inspection Standards for Adult Custodial Services in New South Wales* (May 2020) standard 43.5.

View of exercise yard toilet from the corridor



HRMCC Area 1 cell door hatch



2.3.2 Classification and placement

Many of the inmates in the HRMCC have both a security classification and a security designation. All inmates must be assigned a security classification which guides their placement in a maximum, medium or minimum security correctional centre. Male inmates may be classified to one of several categories: AA, A1 or A2 (maximum security), B (medium security) or C1, C2 or C3 (minimum security).¹³⁹ In addition, inmates who commit an escape offence are to receive an 'escape-risk' (E1 or E2) security classification¹⁴⁰ and those with 'little or no prospect of release' are to receive a 'Life' security classification.¹⁴¹

As demonstrated in Figure 4, on 21 February 2021 the majority of inmates in the HRMCC had AA (37 inmates) or A1 (20 inmates) security classifications. A small number of inmates with A2 and B security classifications were also being held in the HRMCC.¹⁴² Special high security regimes such as the HRMCC should be reserved for those inmates who are unable to be safely managed in mainstream maximum security settings.¹⁴³ This is consistent with principles of classification and placement that an inmate should be placed in a correctional centre with the lowest level of security for which they have been assessed.¹⁴⁴

¹³⁹ *Crimes (Administration of Sentences) Regulation 2014* cl 12.

¹⁴⁰ *Crimes (Administration of Sentences) Regulation 2014* cl 14. Inmates with an E1 classification are those considered by the Commissioner to 'represent a special risk to security'.

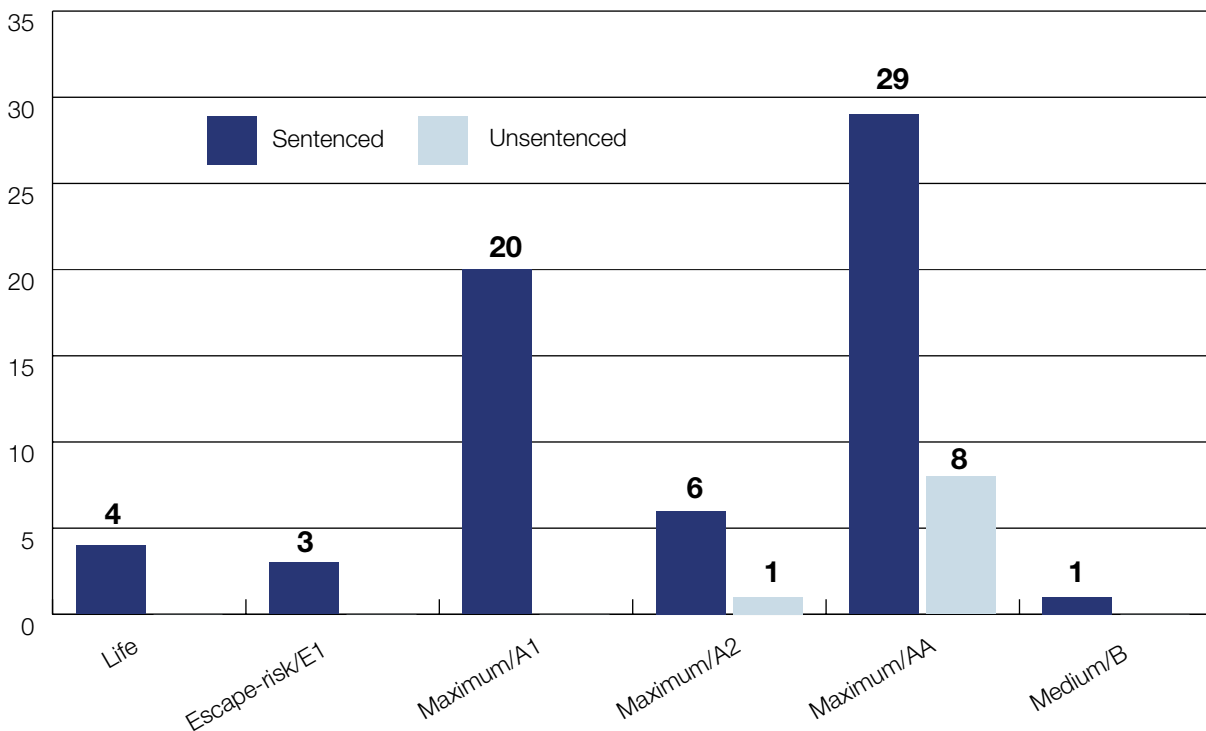
¹⁴¹ *Crimes (Administration of Sentences) Regulation 2014* cl 14A.

¹⁴² Information provided by Corrective Services NSW, 2 March 2021.

¹⁴³ Inspector of Custodial Services, *Inspection Standards for Adult Custodial Services in New South Wales* (May 2020) standard 43.

¹⁴⁴ Corrective Services NSW, *Inmate Classification and Placement: Policy for Inmate Classification and Placement* (version 2.0, 1 February 2021) 6.

Figure 4: Security classifications of HRMCC inmates on 21 February 2021¹⁴⁵



Inmates may also be designated by the Commissioner of CSNSW as:

- **High security**, where the Commissioner considers the inmate to be a danger to others or a threat to good order and security.
- **Extreme high security (EHS)**, where the Commissioner considers the inmate to be an extreme danger to others or an extreme threat to good order and security.
- **Extreme high risk restricted (EHRR)**, where the Commissioner considers:
 - the inmate to be an extreme danger to others or an extreme threat to good order and security, and
 - there is a risk the inmate 'may engage in, or incite other persons to engage in, activities that constitute a serious threat to the peace, order or good government of the State or any other place'.
- **National security interest (NSI)**, where the Commissioner considers there is a risk the inmate 'may engage in, or incite other persons to engage in, activities that constitute a serious threat to the peace, order or good government of the State or any other place'.¹⁴⁶

Security designations have implications for the level of security and routine that an inmate will experience while they are in custody. The Commissioner has discretion regarding the placement of inmates with a security designation. They are not required to be placed in HRMCC and may be placed in any maximum security correctional centre.¹⁴⁷ However, the criteria for the EHS and EHRR designations meet the accepted threshold test for placement in a special high security unit and the COPP provides that although EHRR

¹⁴⁵ Information provided by Corrective Services NSW, 2 March 2021.

¹⁴⁶ *Crimes (Administration of Sentences) Regulation 2014* cl 15.

¹⁴⁷ Corrective Services NSW, *Custodial Operations Policy and Procedures – 3.5 HS, EHS, EHRR, NSI, AA and Cat 5* (version 1.7, August 2015) 8.

inmates may be placed in any maximum security correctional centre, generally they are to be placed in the HRMCC.¹⁴⁸

CSNSW's High Security Inmate Management Committee, a sub-committee of SORC, makes recommendations to the Commissioner regarding the management of inmates with security designations, including their ongoing designation, placement, movement, program pathway and any additional security arrangements.¹⁴⁹ The general rules and restrictions applicable to inmates according to their security designation are provided in the COPP.¹⁵⁰

At the time of our previous inspection, inmates were designated as EHRR based on an individual risk assessment of their threat to the system. However, in practice, all inmates convicted of or charged with national security offences who were placed in the HRMCC were also designated EHRR.¹⁵¹ At that time NSW had adopted a concentration and containment model, whereby the majority of inmates on national security charges and all those awaiting trial were housed at HRMCC.¹⁵² This was to prevent offenders convicted of terrorism offences having an opportunity to propagate their ideologies, radicalise and possibly recruit others.¹⁵³

On 21 February 2021, nearly half of the 72 inmates held in the HRMCC were designated EHRR (34 or 47.2%). There were also 20 EHS inmates, three high security inmates, and seven NSI inmates.¹⁵⁴ We reviewed a cross-section of HRMCC placement and security designation decisions¹⁵⁵ and found that all but one appeared to be made and justified in accordance with legislation. Ad hoc procedures and paperwork were apparent in requests seeking a security designation and placement in the HRMCC. It also appeared that officers preparing the submissions or requests were not always clear on what evidence was required to justify the making of an EHS or EHRR designation or indeed the threshold test for making a security designation. The decision making criteria, complaint process and appeal mechanism relating to an inmate's placement in a special high security regime should be transparent to ensure procedural fairness and community confidence.¹⁵⁶ We found the system of security classifications and designations to be convoluted, unwieldy and difficult to navigate for staff and inmates.

2.3.3 Segregation

Area 1

Inmates may be held in segregated custody where it is necessary for the safety of another person, the security of a correctional centre or for the good order and discipline within a correctional centre.¹⁵⁷

Custodial staff in the HRMCC Area 1 described some HRMCC Area 1 inmates as being on segregation.

148 Corrective Services NSW, *Custodial Operations Policy and Procedures – 3.5 HS, EHS, EHRR, NSI, AA and Cat 5* (version 1.7, August 2015) 8.

149 Corrective Services NSW, *Custodial Operations Policy and Procedures – 3.5 HS, EHS, EHRR, NSI, AA and Cat 5* (version 1.7, August 2015) 5, 7–8. The *Crimes (Administration of Sentences) Regulation 2014* cl 311(1)(c)–(d) provides that the Serious Offenders Review Council may provide advice and recommendations to the Commissioner regarding the management and designation of HS, EHS, EHRR and NSI inmates.

150 Corrective Services NSW, *Custodial Operations Policy and Procedures – 3.5 HS, EHS, EHRR, NSI, AA and Cat 5* (version 1.7, August 2015). At the time of writing, this chapter was under review. The *Crimes (Administration of Sentences) Regulation 2014* cl 16 provides that the Commissioner may make determinations regarding the management of HS, EHS, EHRR and NSI inmates.

151 Inspector of Custodial Services, *The Management of Radicalised Inmates in NSW* (Report, May 2018) 45, 60.

152 Inspector of Custodial Services, *The Management of Radicalised Inmates in NSW* (Report, May 2018) 28.

153 Inspector of Custodial Services, *The Management of Radicalised Inmates in NSW* (Report, May 2018) 59.

154 Information provided by Corrective Services NSW, 2 March 2021.

155 Information provided by Corrective Services NSW, 2 June 2021.

156 Inspector of Custodial Services, *Inspection Standards for Adult Custodial Services in New South Wales* (May 2020) standard 43.2.

157 *Crimes (Administration of Sentences) Act 1999* s 10(1).

We observed the weekly segregation review in Area 1 to understand who was being held on a segregation order in Area 1 and why they were on a segregation order. This involved a committee meeting of seven people who had no relevant material to consider and had no clear understanding of their function. It was not surprising that custodial staff commented that the weekly review was a 'tick-a-box' exercise and served no purpose as there was never any change to the segregation orders.

We reviewed the records of a sample of inmates held in Unit 7 both at the time of the inspection and some months after the inspection and found that these inmates were indeed on segregation orders in addition to their EHS or EHRR security designation. It appeared that Unit 7 was operating as a segregation unit or MPU for the HRMCC, and those placed in Unit 7 were subject to even greater restrictions than other inmates in the HRMCC. In the sample we reviewed, there were a mix of inmates being held on segregation orders: some were placed on segregation due to an incident in the HRMCC, some were on segregation due to the risk they posed to staff or other inmates, one was an escape risk, and one inmate was on a RIT and posed a risk to himself. Several of these inmates had been on segregation for six months or more. Two inmates were no longer on segregation orders but were still accommodated in Unit 7 for reasons, and under conditions, that were unclear.

It is difficult to understand why inmates already designated as EHS and EHRR and subject to the most restrictive management regime in the most secure correctional centre in NSW, are also placed on segregation orders in a segregation area. Inmates are designated EHS or EHRR due to the level of threat they pose to others and to the good order and security of a correctional centre. The design of Unit 7 is like that of Units 8 and 9 and relocating non-compliant and agitated inmates has resulted in uses of force. It is unclear to us how segregation and alternative placement assists staff in managing these inmates. The management regime of the HRMCC should be sufficient to manage the range of risks posed by different inmates, and capable of being adapted where those risks change.

Area 2

The redesignation of the Goulburn CC MPU to HRMCC Area 2 left a gap for the accommodation of Goulburn CC inmates on segregation and separation orders who were previously accommodated in the MPU. This has led to the less than ideal situation where the segregation cells for Goulburn CC were located in HRMCC Area 2. These inmates are not HRMCC inmates and do not meet the criteria for placement in the HRMCC. Placement in the HRMCC should be reserved for inmates who pose an extreme danger to others or an extreme threat to good order and security (that is, those with EHS and EHRR security designations). However, when these inmates are placed on segregation or separation orders, and placed in HRMCC Area 2, their custodial records reflect a placement in the HRMCC. At the time of inspection there were five inmates from Goulburn CC or other correctional centres on segregation orders held in Area 2.

We also observed a segregation review meeting concerning this group of inmates. It was apparent that staff did not know why the inmates had been placed on segregation orders. It was assumed they posed a threat to others, but a review of the material revealed that several inmates were on segregation orders because they were at risk from themselves or others. The paperwork contained the relevant information, but it appeared that those present had not adequately reviewed it prior to the segregation review meeting.

At the time of the inspection, plans were in place to construct a new 20-bed segregation unit on the oval of Goulburn CC. This will hopefully remove any need to hold people on segregation and separation orders in HRMCC Area 2. In the interim, alternative placements for inmates on segregation and separation orders should be facilitated. To avoid any confusion, the custodial records of those who have been placed in HRMCC Area 2 because of this arrangement should make this clear.

Recommendation 27: Corrective Services NSW cease using the High Risk Management Correctional Centre to hold inmates from Goulburn Correctional Centre and other correctional centres subject to segregation and separation orders.

2.3.4 Safety and security

Physical, procedural and dynamic security

In section 1.2.3 of this report, we described the three types of security employed in correctional environments – physical, procedural and dynamic. As with a more typical correctional centre, these components of security are of critical importance in a special high security regime such as that utilised in the HRMCC. Although there is a need for even more stringent physical and procedural security requirements in a high security regime to prevent the risk of escape, and to ensure the safety of staff and inmates, dynamic security also performs an important function. While the HRMCC prides itself on its high security focus, we observed several examples of poor practice and an over-reliance on procedural security practices.

Correctional officers advised us of the safety and security benefits of having hatches installed in all cell doors. This enabled a cordless phone utilised for both approved personal phone calls and legal calls to be passed through the hatch while an inmate remained secured in their cell. Prior to the installation of the cell door hatches, four officers were required to escort each inmate to a caged phone booth. Although inmates using the cordless phones were secured in their cells at all times, we witnessed four custodial officers involved in the movement of a cordless phone from one cell hatch to another. We were unable to discern a reason why four correctional officers were required for this task.

For inmates with restrictive security classifications and designations, there was a conflation of the risks they posed to the community and the risk they posed in a correctional environment. Sometimes, those risks can be present at the same time, but a number of staff in HRMCC Area 1 insisted that very overt security measures were necessary for some very compliant inmates on the basis that ‘they could turn’ and lash out, even if they had given no hint of doing so, in some cases, for many years. This resulted in some inconsistency in risk assessment. For example, an inmate cleaner was allowed to use a broom (a potential weapon) with minimal supervision but was required to be escorted by multiple officers and to be handcuffed in order to use the AVL suite.

Whereas the perimeter appeared very secure, and gates and movement control were robust, the opportunities to gain additional security intelligence through standard dynamic security practices were limited. Relations between staff and inmates are particularly important in special high security settings to maintain a safe and secure environment. Unfortunately, we saw no evidence of dynamic security being used by custodial staff in either HRMCC Areas 1 or 2. There was a general reluctance among HRMCC staff to speak with inmates. Staff had minimal interaction with inmates other than to perform rudimentary activities such as escorts, searches, and service functions such as meal and phone delivery.

The custodial staff in HRMCC Area 1 were observed to spend their days in the officers’ station. The officers’ station is centrally located on each unit with observation windows on all sides. However, in at least one unit, we noted that the observation windows were covered with blinds that remained closed. Staff said this was to prevent inmates being able to see officers, but it also resulted in officers being unable to observe inmates.

Damaged AVL suite door



HRMCC Area 1 day room



During the inspection, we observed an incident in HRMCC Area 1 where an inmate was left unsupervised in an AVL suite for approximately 20 minutes. The inmate had a scheduled AVL meeting with a lawyer, which apparently did not take place. The inmate was unable to gain the attention of staff, became agitated and damaged the timber door of the AVL suite, causing damage to the lock and the door jamb (see photograph). An estimated 20 minutes elapsed between the inmate being placed in the AVL suite and the identification of the damaged door, during which time staff had apparently not checked the CCTV cameras monitoring the AVL suite. This was a lapse that could have resulted in a use of force, placing staff and the inmate at risk of harm, had the inmate not complied with staff directions.

As noted previously, the HRMCC Area 1 day rooms were no longer in use. We were told this was to provide an incentive for inmates to progress to HRMCC Area 2. In April 2022, CSNSW advised that the use of day rooms raised association challenges and HRMCC management would commission a risk assessment and review operations.¹⁵⁸ As well as a poor use of the available facilities, it meant that all associations between inmates were taking place in the outdoor yards, where visual and auditory observation and supervision of inmate interactions was more difficult.

Recommendation 28: Goulburn Correctional Complex review physical and procedural security to improve efficiency and consistency and improve dynamic security practices.

Recommendation 29: The High Risk Management Correctional Centre resume using the day rooms.

Incidents

Given the risk profile of many inmates placed in special high security settings, it is not unusual to see high numbers of incidents. It should also be noted that the data below includes incidents that may have occurred in the segregation unit in HRMCC Area 2, concerning inmates who were not classified to the HRMCC but were placed there due to this being the location of the Goulburn CC segregation unit.

There were 203 breaches of correctional centre regulations recorded in the 12 months between February 2020 to January 2021. Of these, 121 (59.6%) were charges against good order, 42 (20.7%) were property damage, 20 (9.9%) were abusive behaviour, 17 (8.4%) were fighting or assault. It was pleasing to see no

¹⁵⁸ Information provided by Corrective Services NSW, 6 April 2022.

instances of drugs being found or lab confirmed positive urinalysis tests. In addition, there were relatively low rates of assaults, with five assaults of staff and one of another inmate occurring over the 12-month period, however it should be noted that assaults are often recorded as fighting. Three of the five assaults on staff occurred in July 2020.¹⁵⁹

Despite the low number of assaults there were 43 uses of force in the same 12-month period. Nearly half (21) of those occurred in August 2020.¹⁶⁰ The use of force in the HRMCC and across the Goulburn Correctional Complex more broadly requires ongoing and close monitoring by CSNSW to identify both excessive use of force and poor practice.

The COPP provides for the process of reviewing uses of force. All uses of force are reviewed at a centre level by an authorised reviewing officer who was not involved in the incident. This review is to determine whether the use of force complied with the COPP and any relevant local operating procedures. The authorised reviewing officer determines the most appropriate use of force tier level, with tier 1 incidents including those resulting in injury to inmates and/or staff or involving the use of impact weapons or chemical aids. All tier 1 uses of force are referred to an independent panel for consideration. The Operational Review Performance Branch also conduct random reviews of tier 2 incidents.¹⁶¹

We viewed CCTV during the inspection of a use of force on an inmate in Goulburn CC who was subsequently placed in the HRMCC Area 1. We found the use of force should have been referred to the Use of Force Committee for review and wrote to the Commissioner immediately. Following our inspection and before the release of this report another inmate was seriously injured during a use of force in his cell in the HRMCC Area 1. A review of CCTV revealed officers engaging in very poor practice that exposed staff to injury and resulted in life changing injuries to the inmate. In the circumstances we believe all uses of force at HRMCC should be referred to the Use of Force Committee for review.

Special high security regimes must prioritise safety and the prevention of suicide and self-harm.¹⁶² It is for this reason that accommodation in a special high security management facility must not be used as a management solution for the placement of inmates with mental health problems.¹⁶³ No deaths in custody had occurred in the HRMCC since 12 September 2015.¹⁶⁴

Prior to our inspection HRMCC was holding a young man on a hunger strike. He had been in the custody of Youth Justice NSW when his hunger strike began and was transferred to CSNSW custody and placed in the Long Bay Hospital. Due to being convicted of terror-related offences, when he was deemed well enough, he was transferred to the HRMCC and recommenced his hunger strike. In the weeks prior to the inspection, he was moved to Long Bay Hospital and the Prince of Wales secure unit due to a serious deterioration in his physical and mental health. As previously identified by the Coroner, the HRMCC is not equipped to manage inmates with acute mental health issues.¹⁶⁵

Recommendation 30: Corrective Services NSW's Use of Force Committee review all uses of force in the High Risk Management Correctional Centre.

159 Information provided by Corrective Services NSW, 2 March 2021.

160 Information provided by Corrective Services NSW, 2 March 2021.

161 Corrective Services NSW, *Custodial Operations Policy and Procedures – 13.7 Use of force* (version 1.12, August 2021) 31–3.

162 Inspector of Custodial Services, *Inspection Standards for Adult Custodial Services in New South Wales* (May 2020) standard 46.2.

163 Inspector of Custodial Services, *Inspection Standards for Adult Custodial Services in New South Wales* (May 2020) standard 43.4.

164 *Inquest into the death of Fenika Junior Tautuliu Fenika (Junior Fenika)* (Coroners Court of New South Wales, Deputy State Coroner Teresa O'Sullivan, 13 July 2018).

165 *Inquest into the death of Fenika Junior Tautuliu Fenika (Junior Fenika)* (Coroners Court of New South Wales, Deputy State Coroner Teresa O'Sullivan, 13 July 2018).

Management regime

From a management perspective, there are advantages in concentrating inmates identified as violent extremists within a specialised wing of a facility, or a specialised facility such as the HRMCC Area 1. Concentration supports a risk-containment strategy particularly when paired with strict security controls and surveillance technology, such as real-time monitoring of phone calls. However, special high security regimes must also address the individual needs of inmates, including mental health and case management.¹⁶⁶ This means having a daily regime in place that allows for time out of cell, approved associations with other inmates, exercise, family contact and access to services.

The challenge for CSNSW is to have a management regime in place that both manages the different risks and provides for the wide-ranging needs of all inmates in the HRMCC. This includes remand and sentenced inmates identified as violent extremists, as well as other inmates who are being held at the HRMCC Area 1 because they pose an extreme risk to other inmates or staff or the good order of a correctional centre. It was evident to us that, since our last inspection, CSNSW had worked to implement such a management regime for HRMCC inmates while maintaining strict security controls. However, we were concerned that HRMCC inmates were not being provided with sufficient time out of cells and were subject to a high number of lockdowns.

In 2019–20, HRMCC inmates spent an average of 5.62 hours out of cell each day.¹⁶⁷ Although this was an improvement since our last inspection, we were concerned about how the HRMCC daily routine was operating in practice. In HRMCC Area 1, time out of cell involves inmates having access to the secure yard at the rear of their cells. During this time, they may also have access to the external exercise yards. Custodial staff advised us that inmates in HRMCC Area 1 were provided with access to the secure yards attached to their cells between 8.45am to 2pm each day. Inmates were also provided access to five external larger exercise yards during weekdays for one-and-a-half hours between 9.45am and 11.15am on a rotational basis.

We found that in practice the day was shorter than indicated on the daily routine. During the inspection, we attended three morning staff parades, which began at 8.23am, 8.20am and 8.25am, significantly later than the scheduled 8am commencement. This resulted in staff not being at their posts in HRMCC Area 1 in accordance with the daily routine and in practice commencing the morning routine at around 9am. Inmates would be locked in cells again for around one hour at lunch time. At the end of the day staff commenced locking inmates in their cells at 2pm, in readiness for custodial staff to cease duty at around 3.45pm to 4pm. This meant the time out of cell for inmates was effectively less than four hours per day.

This daily routine does not operate during scheduled and unscheduled lockdowns. When a lockdown occurs, inmates do not have access to the secure yards attached to their cells, the exercise yards, or the cordless phone. Only essential services are provided, such as AVL court appearances, medication, and meals. The HRMCC had a scheduled lockdown every second Wednesday for training, union, or staff meetings. However, of greater concern to us was the number of unscheduled lockdowns occurring in the HRMCC. Between February 2020 to January 2021 there were 61 unscheduled lockdowns,¹⁶⁸ many reportedly due to staff absences. A review of HRMCC incident reports for February and March 2021 revealed that there were 20 days in February and March 2021 when the HRMCC was locked down for six hours. In some circumstances these lockdowns occurred over several consecutive days.¹⁶⁹ The practical effect of a six-hour lockdown is that inmates do not leave their cells during a 24-hour period.

¹⁶⁶ Inspector of Custodial Services, *Inspection Standards for Adult Custodial Services in New South Wales* (May 2020) standard 46.

¹⁶⁷ Information provided by Corrective Services NSW, 2 March 2021.

¹⁶⁸ Information provided by Corrective Services NSW, 2 March 2021.

¹⁶⁹ Information provided by Corrective Services NSW, 10 August 2021.

It was reported by both staff and inmates that most lockdowns were caused by unplanned staff absences, such as sick leave. This was consistent with our review of the incident reports which showed only one occasion where a security incident triggered a lockdown. Of the remaining six-hour lockdowns, 12 were entirely due to staff shortages, four were partially due to staff shortages in combination with other reasons, such as staff meetings or training, and three were due to industrial action. Industrial action was also the cause of an additional two-hour lockdown during this period.

It is troubling that the HRMCC Area 1 was in lockdown for approximately 20 of 59 days or 34% of the February to March 2021 period. This not only impacts the inmates who are already subject to the harshest management regime in the correctional system but also inhibits service delivery. CSNSW has invested significant resources in disengagement programs to address violent extremism but lockdowns impede the ability of relevant staff to deliver these programs and other services such as health appointments, case planning and phone calls. Moreover, there is a risk of reinforcing violent, or extremist views when inmates are subjected to harsh regimes. It was disappointing to see the lack of real progress in this area and it seemed little had changed since our last inspection almost five years ago.

Recommendation 31: Corrective Services NSW monitor staff adherence to the daily routine and provide sufficient staff to prevent lockdowns caused by staff absences.

2.3.5 Staffing

There is overlap between the staff working in the HRMCC and Goulburn CC, particularly among custodial staff. The staffing profile in Table 1 applies to both Goulburn CC and the HRMCC. Consequently, many of the observations made in relation to Goulburn CC in section 1.2.4 are also applicable to the HRMCC. Similar to Goulburn CC, while we found a number of staff to be polite and facilitative of our inspection, we also observed examples of rude and unprofessional behaviour and heard allegations of bullying, harassment and discrimination. We also observed and heard about behaviour and comments that indicated racist, sexist or anti-Muslim views were held by some staff.

The majority of inmates held in the HRMCC are Muslim and are entitled to practise their religion. Our last inspection found that some staff were of the view that following Islam is, in and of itself, a precursor to extremism.¹⁷⁰ CSNSW has undertaken significant staff training since then to assist staff to understand the Islamic faith, the difference between religious conversion and radicalisation, and how to identify radicalisation. Given this investment in training, it was disappointing to find that discriminatory beliefs were an ongoing issue. However, it should be noted that we also heard that relationships between staff and inmates were better than in the past.

It is important for staff who work in special high security regimes to undertake specific training and rotate at appropriate intervals to manage stress and prevent security issues. Custodial staff in the HRMCC who had completed intensive training agreed that anyone who works in the HRMCC should be required to complete specialised training but felt only experienced staff who understand the requirements of working in a high security environment should be working in the HRMCC.

Consistent with those views we observed a lack of understanding and awareness among custodial staff of the importance of the work of non-custodial staff in the HRMCC. Custodial staff appeared to be generally reluctant to facilitate the work of non-custodial staff, effectively preventing non-custodial staff from performing their roles and interacting with inmates. The difficulty non-custodial staff experienced in undertaking their work was further exacerbated by lockdowns and security protocols. Management needs to work to significantly improve relationships between the different staffing groups working in the HRMCC.

¹⁷⁰ Inspector of Custodial Services, *The Management of Radicalised Inmates in NSW* (Report, May 2018) 33.

2.4 Physical and mental health services

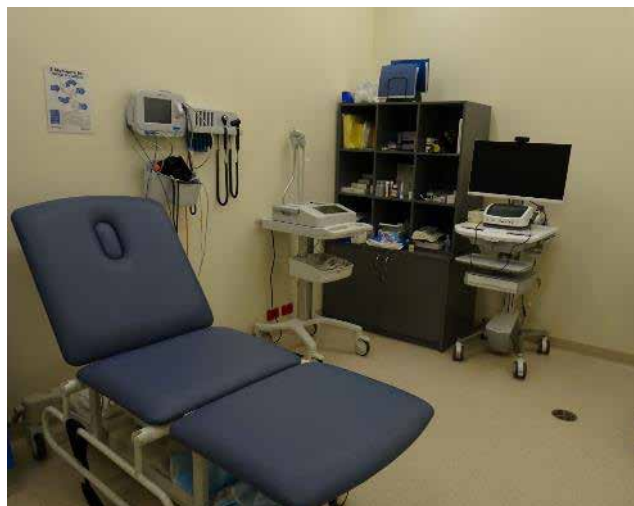
2.4.1 Justice Health and Forensic Mental Health Network services

Since our last inspection, a health centre had been opened in HRMCC Area 1. A satellite health centre was also located in HRMCC Area 2. Both were small but well-equipped with telehealth facilities and modern consultation rooms.

HRMCC Area 1 health centre treatment room



HRMCC Area 2 satellite health centre



The HRMCC health centre had a staffing profile of a full-time NUM, two registered nurses, a clerk and a clinical support officer. At the time of the inspection, the registered nurse positions were vacant and a recruitment process was underway. Goulburn CC's drug and alcohol nurse and population health nurse also serviced HRMCC inmates. A GP attended the HRMCC twice a month and this time was split across Areas 1 and 2.

HRMCC nursing staff were onsite from 9.30am to 6pm, seven days a week. However, they were required to relocate from HRMCC Area 1 to the main health clinic from around 2.30pm when patients¹⁷¹ were locked into their cells. Outside these hours, staff in the main health centre, which operated from 6am to 8.30pm on weekdays and 7am to 8.30pm on weekends, responded to any emergencies in the HRMCC.

On 21 February 2021, the HRMCC held five patients with a recorded history of mental illness and 18 mandatory notification – RIT inmates.¹⁷² In the 12 months from February 2020 to January 2021 there were nine recorded acts of self-harm.¹⁷³ Psychiatry services were provided to HRMCC patients via telehealth or AVL. The vacant mental health nurse positions also impacted the HRMCC and it was observed that a mental health nurse was needed on the Goulburn Correctional Complex. On 2 March 2021, 15 HRMCC patients were on the waitlist to see a psychiatrist and 22 were on the waitlist to see a mental health nurse.¹⁷⁴

JH&FMHN staff reported undertaking daily welfare checks of segregation inmates in HRMCC Area 2.

171 Health staff working in correctional centres describe people in custody receiving health services as patients rather than inmates. Consistent with this, the report will also use this terminology in the context of those receiving health services.

172 Information provided by Corrective Services NSW, 2 March 2021. A RIT consists of a RIT Coordinator (a custodial officer of senior correctional officer rank or above who is designated by the governor), a JH&FMHN staff member, and an OS&P staff member. See Corrective Services NSW, *Custodial Operations Policy and Procedures – 3.7 Management of Inmates at Risk of Self-harm or Suicide* (version 1.4, 16 August 2021) 18.

173 Information provided by Corrective Services NSW, 2 March 2021.

174 Information provided by Goulburn Correctional Complex, 2 March 2021.

Other HRMCC inmates who needed to see a nurse either completed a self-referral form or made a request through a correctional officer. However, we heard that those inmates in HRMCC who were not taking regular medication or who did not have a chronic condition were not regularly reviewed by health staff. This needs to be addressed due to the known impacts of long periods of isolation on mental health. Regular mental health checks are vital for inmates in HRMCC Areas 1 and 2 who are unable to associate with other inmates either due to assessed risks to themselves or others or because of lockdowns.

We observed the GP attend the HRMCC Area 1 health centre. On the day of our visit, there were 16 patients in the HRMCC on the GP waitlist, although only four patients were seen by the GP. One patient had been on the waitlist for 51 days. Patients were handcuffed and three correctional officers were present in the consultation room with the GP. The GP confirmed that depending on the patient and the procedure, he can request that custodial officers leave the consultation room and/or remove handcuffs. The primary health clinic and GP clinic were cancelled if there was a lockdown.

It appeared that establishing the HRMCC health centre was still a work in progress. Although we heard that custodial staff were generally good at communicating with health staff, access to patients for some services was described as challenging in the HRMCC.

2.4.2 Psychology services

The HRMCC had a psychology staffing profile of two senior psychologists and three psychologists. Inmates may be referred to psychology services at their own request or by staff and referrals are triaged according to CSNSW psychology policy,¹⁷⁵ as outlined in section 1.3.2. The HRMCC also had two senior SAPO and five SAPO positions that reported to the senior psychologists.

On 14 May 2021, there were no inmates in the HRMCC with a psych 1 referral and four referrals requiring triage. There were 62 psych 2 referrals, two psych 3 referrals and eight referrals for criminogenic risk/needs assessments. There were 20 inmates in the HRMCC with multiple referrals for psychology services. Of the 62 psych 2 referrals, 34 concerned violence and aggression due to the nature of the inmate's offending and/or their behaviour in custody. A number of inmates also had referrals for cognitive impairments, sub-acute mental health impairments and challenging behaviours, reflecting the very complex needs of some HRMCC inmates.¹⁷⁶

The senior psychologists are also the therapeutic managers of the PATHS model and their team is responsible for managing the progression of inmates from HRMCC Area 1 to Area 2, including involvement in the assessment of those who may be suitable. We discuss the PATHS model in more detail in section 2.6.2 of this report.

¹⁷⁵ Corrective Services NSW, *Policy on Providing Psychology Services in CSNSW* (version 3.7, 10 November 2020).

¹⁷⁶ Information provided by Goulburn Correctional Complex, 31 May 2021.

2.5 Inmate services and amenities

Special high security regimes must ensure that inmates are treated with decency, dignity and respect, providing as wide a range of activities as practicable.¹⁷⁷ Where appropriate, inmates should be provided with opportunities for work and other constructive activities such as education and recreation.¹⁷⁸

Inmates observed that conditions in the HRMCC had improved since our last inspection, including through additional AVL suites, better access to family visits, greater access to phone calls through the use of portable phones in each unit, and access to laptops to prepare for legal matters.

2.5.1 Contact with family and legal representatives

In-person and virtual visits

As noted previously, the visit facilities in the HRMCC had been upgraded since our last inspection. Both HRMCC Areas 1 and 2 were well-equipped to facilitate a combination of contact, non-contact and AVL visits. Tablets could not be used for social visits in the HRMCC due to mobile-blocking technology, however social visits could be facilitated by AVL.

In HRMCC Area 1, there were two rooms for contact family visits, four non-contact visit booths (each with capacity for one visitor) and two non-contact family visit booths (large enough for several visitors). These areas had good line-of-sight from the officer's station. This was a significant improvement on the single non-contact visit booth that had been available prior to the refurbishment of HRMCC Area 1,¹⁷⁹ particularly given that inmates with an EHRR security designation and/or AA security classification were only permitted to have non-contact visits unless otherwise authorised by the Commissioner.¹⁸⁰ AVL suites had also been installed in each of the three units in HRMCC Area 1, in addition to those located in the visits area. HRMCC Area 2 had two non-contact visit booths, rooms for family contact visits, a larger contact visits area and four AVL suites.

Our previous inspection found that due to security restrictions and a lack of visits infrastructure, inmates were not able to see their families on a regular basis. This was a significant grievance reported by inmates.¹⁸¹ International and Australian standards recognise inmate contact with family members should be an entitlement rather than a privilege.¹⁸² Moreover, the United Nations Office on Drugs and Crime identifies that families are often vital partners in the disengagement and reintegration process for radicalised inmates.¹⁸³

During the inspection, we observed visits taking place in the HRMCC. At this time, social visits were taking place in-person and by AVL. The sessions for both in-person and AVL visits lasted for 30 minutes. In-person visits took place on Saturdays and Sundays. On each day, there was one time slot available for in-person visits, with a capacity for two visits at a time – one in Area 1 and one in Area 2. There were also 13 sessions available per day for AVL visits – five for Units 7 and 9 of Area 1, five for Unit 8 of Area 1 and B-deck of Area 2

177 Inspector of Custodial Services, *Inspection Standards for Adult Custodial Services in New South Wales* (May 2020) standard 45.

178 Inspector of Custodial Services, *Inspection Standards for Adult Custodial Services in New South Wales* (May 2020) standard 45.2.

179 Inspector of Custodial Services, *The Management of Radicalised Inmates in NSW* (Report, May 2018) 48.

180 Corrective Services NSW, *Custodial Operations Policy and Procedures – 3.5 HS, EHS, EHRR, NSI, AA and Cat 5* (version 1.7, August 2015) 18, 34.

181 Inspector of Custodial Services, *The Management of Radicalised Inmates in NSW* (Report, May 2018) 48–9.

182 Inspector of Custodial Services, *Inspection Standards for Adult Custodial Services in New South Wales* (May 2020) standards 105, 108; *United Nations Standard Minimum Rules for the Treatment of Prisoners*, GA Res 70/175, UN Doc A/RES/70/175 (8 January 2016, adopted 17 December 2015) rules 43.3, 58.1.

183 United Nations Office on Drugs and Crime, *Handbook on the Management of Violent Extremist Prisoners and the Prevention of Radicalization to Violence in Prisons* (October 2016) 140.

and three for inmates in the segregation unit of Area 2. HRMCC reported that in the six-month period from August 2020 to February 2021, a total of 777 social visits had taken place for HRMCC inmates.¹⁸⁴

During our observation of visits, one non-contact visit and 10 AVL visits were scheduled in HRMCC Area 1. Two experienced visits staff were operating the AVL visits in Area 1 and it appeared to be running smoothly. However, the value of the enhancements to the visits area was limited by insufficient sessions for in-person visits for the number of HRMCC inmates. Ongoing visit restrictions due to COVID-19 combined with the need for visitors to travel significant distances are likely to continue to impact the viability of in-person visits at the HRMCC. Therefore, AVL visits should continue to be available and expanded to allow for as many visits as possible.

The non-contact visit in HRMCC Area 1 also appeared to run smoothly, enabling the visit to commence on time and last for the allocated 30 minutes. Staff explained the process for inmates attending non-contact visits, which included strip searching the inmate before and after. It is difficult to understand the need to strip search an inmate who has had no contact with their visitors and has only had contact with staff before and after their visit. This practice may be due to CSNSW policy, which provides that EHS inmates must be strip searched prior to and after a visit.¹⁸⁵ It also provides that all the restrictions applicable to EHS inmates also apply to EHRR inmates.¹⁸⁶ However, unlike EHRR inmates, EHS inmates may receive contact visits. The policy does not account for the requirement that EHRR inmates may only have non-contact visits,¹⁸⁷ nor does it consider whether strip searching is necessary in these circumstances. It was also disappointing to hear that strip searches were used instead of the body scanner, although it should be noted that records indicate this particular inmate did undergo a body scan related to this visit.

We also observed an in-person visit in HRMCC Area 2. The visit commenced 15 minutes late, despite the visitors arriving early to allow for processing and security screening. The correctional officers on duty were initially adamant that the visit would finish at the scheduled time, meaning it would effectively last for only 15 minutes. Fortunately, a more senior staff member intervened and allowed a 30-minute visit. Given people often travel hours to visit their friends or family members in custody and there was only one in-person visit taking place, the original decision to curtail the visit seemed unfair and unreasonable. As staff seemed to experience difficulty facilitating one in-person visit in HRMCC Area 2 it was hard to see how they would manage when the number of visits increased.

Despite HRMCC Area 2 operating as a pathway from HRMCC Area 1, inmates were still strip searched before and after visits, and were required to wear orange overalls during visits. Although this was in accordance with the COPP provisions concerning EHRR and EHS inmates,¹⁸⁸ it was disappointing that the purpose of HRMCC Area 2 was not reflected in the visit process for inmates participating in the PATHS model. The HRMCC Area 2 visits area also had a body scanner, however it appeared this was not in use. We observed four officers entering the room where the body scanner was located to conduct a traditional strip search of the inmate prior to their visit. CSNSW and Goulburn Correctional Complex management staff need to ensure that the use of this technology is increased.

Recommendation 32: Corrective Services NSW cease the practice of strip searching inmates before and after a non-contact visit, amending relevant policy where necessary.

184 Information provided by Goulburn Correctional Complex, 2 March 2021.

185 Corrective Services NSW, *Custodial Operations Policy and Procedures – 3.5 HS, EHS, EHRR, NSI, AA and Cat 5* (version 1.7, August 2015) 11–12.

186 Corrective Services NSW, *Custodial Operations Policy and Procedures – 3.5 HS, EHS, EHRR, NSI, AA and Cat 5* (version 1.7, August 2015) 12.

187 Corrective Services NSW, *Custodial Operations Policy and Procedures – 3.5 HS, EHS, EHRR, NSI, AA and Cat 5* (version 1.7, August 2015) 18.

188 Corrective Services NSW, *Custodial Operations Policy and Procedures – 3.5 HS, EHS, EHRR, NSI, AA and Cat 5* (version 1.7, August 2015) 11–12.

Telephone access

As previously discussed, telephone access was much improved in the HRMCC due to the installation of cell door hatches enabling the use of cordless phones in cells. Generally, the use of a cordless phone for inmate phone calls was efficient and allowed more inmates to make phone calls by eliminating the need to move inmates to and from the secure telephone box. Consistent with most other correctional centres in NSW, personal calls could last for up to six minutes and legal calls could last up to 10 minutes.¹⁸⁹

The legislation and the COPP provide for additional security measures regarding phone calls for inmates with security designations. EHRR and NSI inmates must have the Commissioner's approval to call anybody other than an exempt body, such as the Ombudsman.¹⁹⁰ Telephone calls with EHRR and NSI inmates must be in English or another language approved by the Commissioner.¹⁹¹ All telephone calls made by NSI, EHS and EHRR inmates are to be monitored and recorded, unless they are with exempt bodies or persons.¹⁹²

Consequently, phone usage was still limited by the capacity of phone surveillance, constraining the number of phone calls that could take place at the same time. For HRMCC inmates, personal calls and legal calls were facilitated on alternating days, so one day would be for personal calls and the following day would be for legal calls. For the purpose of this system, phone calls to the Ombudsman or other free call numbers were categorised as legal calls and therefore could only be made every second day. We were concerned that this system did not provide inmates with sufficient access to complaint-handling mechanisms. It also created issues for contact with legal representatives if they were unavailable on the legal call day. We also heard that lockdowns impacted the accessibility of phone calls and that it could take months for new phone numbers to be approved.

The COPP states that telephone calls to an EHRR inmate's legal representative must not be monitored once it is established to be a 'legitimate' legal call.¹⁹³ Generally, the legal calls of inmates with an AA security classification should only be subject to monitoring where there is a reasonable cause to suspect the call may constitute a threat to the good order and security of the correctional centre. Any consequent monitoring should cease if it is established that the call does not constitute such a threat.¹⁹⁴

We observed a sign in the HRMCC stating that the COPP provides that legal calls are to be monitored by 'dropping-in', or briefly intercepting the call, to ensure the conversation is being conducted in English or other approved language. We heard that this practice was also to ensure that legal calls were not diverted to or used to speak with anyone other than the legal representative. The difference between the wording of the policy and how it was apparently understood by those following it suggests it lacks clarity, providing scope for a disconnect to emerge between the policy and practice. Further, the surveillance of English language requirements applied to some but not all inmates held in the HRMCC, and it was not readily apparent that this was being taken into account.

International law recognises a client's right to confidential communications with a lawyer. The United Nations Basic Principles on the Role of Lawyers calls on governments to respect the confidentiality of 'all

189 Corrective Services NSW, *Custodial Operations Policy and Procedures – 8.2 Inmate Telephones* (version 1.10, 17 June 2020) 9.

190 Corrective Services NSW, *Custodial Operations Policy and Procedures – 3.5 HS, EHS, EHRR, NSI, AA and Cat 5* (version 1.7, August 2015) 19.

191 *Crimes (Administration of Sentences) Regulation 2014* cl 119(6); Corrective Services NSW, *Custodial Operations Policy and Procedures – 3.5 HS, EHS, EHRR, NSI, AA and Cat 5* (version 1.7, August 2015) 15.

192 Corrective Services NSW, *Custodial Operations Policy and Procedures – 3.5 HS, EHS, EHRR, NSI, AA and Cat 5* (version 1.7, August 2015) 12, 19. The policy has the same definitions of 'exempt bodies' and 'exempt persons' as the *Crimes (Administration of Sentences) Regulation 2008*, which is no longer in force.

193 Corrective Services NSW, *Custodial Operations Policy and Procedures – 3.5 HS, EHS, EHRR, NSI, AA and Cat 5* (version 1.7, August 2015) 19.

194 Corrective Services NSW, *Custodial Operations Policy and Procedures – 3.5 HS, EHS, EHRR, NSI, AA and Cat 5* (version 1.7, August 2015) 33.

communications and consultations between lawyers and their clients'.¹⁹⁵ The Mandela Rules further provide that prisoners should be 'provided with adequate opportunity, time and facilities' to meet with their legal representatives 'without delay, interception or censorship and in full confidentiality ...'.¹⁹⁶

We were concerned that the policy and practice of 'dropping-in' on the legal phone calls of HRMCC inmates did not provide adequate protections for privacy and confidentiality. This is a fundamental right and how to guarantee it should not be open to interpretation. We accept that some interference with this right may be necessary for security reasons, however the policy should be sufficiently detailed to ensure that this is kept to an absolute minimum. A recommendation that CSNSW cease this practice remains outstanding from our last inspection of the HRMCC.¹⁹⁷ More recently the NSW Court of Appeal held that the *Crimes (Administration of Sentences) Regulation 2014* does not authorise the practice of 'dropping-in' on phone calls with legal practitioners to ensure that an EHRR inmate is speaking English and is speaking with the approved recipient of the call.¹⁹⁸

Recommendation 33: The High Risk Management Correctional Centre increase inmate phone access to legal representatives and the Ombudsman.

2.5.2 Access to Official Visitors

Special high security regimes must have effective monitoring with enhanced levels of internal and external scrutiny. It is therefore important that inmates have access to external monitoring bodies such as Official Visitors, the Ombudsman, and the Health Care Complaints Commission. The Official Visitor program is managed by the ICS. Official Visitors play a vital role in maintaining accountability in the NSW correctional system. As independent monitors, they regularly attend correctional centres to ensure the fair treatment of inmates and humane conditions.

Our previous inspection highlighted that AA, EHRR and NSI inmates held in the HRMCC were restricted from speaking or complaining to Official Visitors about their treatment and the conditions of their incarceration. Official Visitors are otherwise permitted to visit the HRMCC and speak to and receive complaints from inmates who do not have an AA security classification or an EHRR or NSI security designation. Consequently, we recommended that CSNSW consider removing the restriction on engagement between these inmates and Official Visitors.¹⁹⁹

This situation has not changed since our last inspection. This is unfortunate as the HRMCC is the most secure centre in NSW and has limited scrutiny from external visitors. The removal of inmates' rights to make complaints to Official Visitors about their treatment in custody has seen the removal of an important protection in the custodial system that can resolve issues quickly at the local level. Allowing Official Visitors to speak with all HRMCC inmates may also help prevent inmates from developing grievances about their treatment in custody, which as we have highlighted previously can encourage radical tendencies and frustrate rehabilitation efforts.²⁰⁰ We will therefore continue to advocate for the implementation of our previous recommendation.

195 Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, *Basic Principles on the Role of Lawyers* (7 September 1990) principle 22.

196 *United Nations Standard Minimum Rules for the Treatment of Prisoners*, GA Res 70/175, UN Doc A/RES/70/175 (8 January 2016, adopted 17 December 2015) rule 61(1).

197 Inspector of Custodial Services, *The Management of Radicalised Inmates in NSW* (Report, May 2018) recommendation 23.

198 *Hamzy v Commissioner of Corrective Services NSW* [2022] NSWCA 16.

199 Inspector of Custodial Services, *The Management of Radicalised Inmates in NSW* (Report, May 2018) recommendation 25.

200 Inspector of Custodial Services, *The Management of Radicalised Inmates in NSW* (Report, May 2018) 53.

2.5.3 Cultural support for Aboriginal inmates

On 18 March 2021, there were nine Aboriginal inmates held in HRMCC Area 1. In addition, two Aboriginal men on segregation orders were being held in HRMCC Area 2.²⁰¹

Generally, many of the findings outlined in section 1.4.4 also applied in relation to the HRMCC. We found there were a lack of opportunities for Aboriginal men to connect with culture and they did not have access or support from Aboriginal staff members. We observed discriminatory attitudes among some staff in HRMCC Areas 1 and 2 and a failure to understand that some Aboriginal men in Area 2 were on segregation because of the risk that they posed to themselves not to others. As discussed earlier, the weekly reviews of their placement and necessary interventions were inadequate.

The placement of some Aboriginal men in the HRMCC Area 1 was not offence-related. These men often had complex physical and/or mental health needs and histories of institutional behaviour that meant they were considered to pose an extreme risk to inmates or staff or the good order and security of correctional facilities. However, this made them a minority in the HRMCC, as the majority of HRMCC inmates were placed there because they were accused or convicted of terror-related offences. The inspection found that as a consequence of being a small group with complex and challenging behaviours, they experienced a more isolating regime than some other HRMCC inmates.

2.5.4 Support for religious inmates

As highlighted in section 2.2, most inmates in the HRMCC are Muslim. Our previous inspection found there was a need for more Muslim chaplains across the correctional system in NSW. During the inspection we heard that Muslim chaplains attended the Goulburn Correctional Complex two to three times per week to provide chaplaincy services to Muslim inmates in both the HRMCC and Goulburn CC. However, their attendance and ability to see inmates was impacted by lockdowns. The requirement for staff to work in pairs when engaging with inmates in the HRMCC also applies to chaplains.

Despite an increase in the number of Muslim chaplains since our previous inspection, we were told that there was still significant demand among HRMCC inmates to see Muslim chaplains and possibly sufficient work across Goulburn Correctional Complex for a full-time Muslim chaplain. The work of Muslim chaplains is both important for realising the right of Muslim inmates to practise their religion and to support disengagement from violent extremist views. Chaplaincy services for Muslim inmates need to be adequately resourced to ensure Muslim chaplains have sufficient time and capacity to provide spiritual guidance and pastoral care to all those who wish to receive it.

In April 2022, CSNSW advised that since February 2022, the HRMCC had the equivalent of a full-time Muslim chaplain (with one chaplain working three days per week and another working two days per week).²⁰² We welcome this development.

Recommendation 34: Corrective Services NSW review current chaplaincy resources for Muslim inmates in the High Risk Management Correctional Centre to ensure these are adequate to meet demand.

²⁰¹ Information provided by Goulburn Correctional Complex, 19 March 2021.

²⁰² Information provided by Corrective Services NSW, 6 April 2022.

2.5.5 Access to purposeful activity

Five new external exercise yards had been built to allow greater access to exercise and time out of cell. This was a welcome addition to HRMCC Area 1, however, access to the yards was organised on a rotational basis according to permitted associations.

The report regarding our last inspection of the HRMCC observed:

Although the CSNSW strategy of concentration separates HRMCC inmates from the general prison population, and convicted and unconvicted national security inmates from one another, it does not completely isolate inmates from each other, as associations are vital for mental health in high-security environments.²⁰³

During this inspection we heard that, since our last inspection, some changes had been made to inmate associations in HRMCC Area 1. Previously, inmates applied to associate with a particular inmate and associations were vetted for risk factors, including possible assaults during contact and communications within prison that may threaten the community. Inmates were only permitted to associate in groups of two.²⁰⁴ We highlighted that, at that time, permitted associations were based on legal status and security classification and recommended that radicalisation risk factors should also be taken into account when determining which inmates within the HRMCC could interact.²⁰⁵ Current practice seems to allow AA prisoners to mix, and organised crime figures to mix, but is less likely to approve A1 and AA prisoners to mix.²⁰⁶

Although an inmate may still only associate with one other inmate at a time, there is no longer a limit on an inmate's number of approved associates. Associations took place in the external exercise yards for around one-and-a-half hours in the morning. Staff had devised a roster system whereby once every 15 days an inmate was allowed to choose which of the five exercise yards they would like to use, and which approved inmate they would spend time with in the yard. This meant it was possible for an inmate to go two weeks without access to an external exercise yard if they did not have many approved associations or were rarely chosen by other inmates. Apart from being unfair, the system enabled inmates with many approved associates to communicate privately with many different inmates, albeit one at a time. We therefore recommend that CSNSW review this practice to ensure all inmates have equitable access to outdoor exercise and interactions with others.

In April 2022, CSNSW advised that centre management had conducted a review of associations following a recent serious incident, and the recommendations and results of the review will improve access to services and amenities.²⁰⁷

Recommendation 35: The High Risk Management Correctional Centre review its exercise and association policy to ensure equitable access to exercise and associations.

203 Inspector of Custodial Services, *The Management of Radicalised Inmates in NSW* (Report, May 2018) 62.

204 Inspector of Custodial Services, *The Management of Radicalised Inmates in NSW* (Report, May 2018) 62.

205 Inspector of Custodial Services, *The Management of Radicalised Inmates in NSW* (Report, May 2018) 62–4.

206 Inmates with an AA security classification are those who, in the opinion of the Commissioner, 'represent a special risk to national security'. Inmates with an A1 security classification are those who, in the opinion of the Commissioner, 'represent a special risk to good order and security'. See *Crimes (Administration of Sentences) Regulation 2014* cl 12(1).

207 Information provided by Corrective Services NSW, 6 April 2022.

2.6 Re-entry and reintegration support

Special high security regimes must provide opportunities for inmates who present an extreme or unacceptable risk to disengage from violent extremism and reintegrate into the community.²⁰⁸ There should also be policies and procedures, known to staff and inmates, on the pathway out of a special high security regime for all inmates.²⁰⁹ It is also necessary for special high security regimes to address inmates' individual needs, including mental health and sentence management.²¹⁰ Care must also be taken with inmates in special high security management regimes to ensure their mental health and wellbeing through the provision of a suitable range of constructive activities, work, education and visits.²¹¹

2.6.1 Access to programs, employment and education

Our previous inspection identified the challenges in relation to case planning for national security inmates at the HRMCC as they did not have access to programs, work, or education.²¹² The inspection found a need for case plans to provide progression pathways and placement options for inmates to enable them to participate in rehabilitation and disengagement programs.²¹³ It was therefore pleasing to see that as at 5 February 2021, 35 inmates at the HRMCC had a current case plan.²¹⁴

Notwithstanding the introduction of case plans, information provided by the HRMCC on 2 March 2021 indicated that no HRMCC inmates were employed but that the HRMCC had the capacity to employ up to 12 inmates as cleaners (six in HRMCC Area 1 and six in HRMCC Area 2).²¹⁵ During the inspection we observed one inmate working as a cleaner. No inmates in HRMCC Area 1 had access to education courses or programs. HRMCC inmates were not able to access an inmate library and books were provided directly to inmates by the HRMCC's education services coordinator. We heard there was a lot of demand for books in the HRMCC but there were not enough books to meet this demand. We heard that providing materials like exercise books and art supplies was also challenging due to security concerns.

Although inmates in HRMCC Area 1 could not access programs, OS&P staff provided other services and countering violent extremism interventions, the latter of which focused on communication, de-escalation and relationship building rather than deradicalisation. They were also responsible for completing offender reports and assessments. At the time of the inspection, case planning and management was undertaken by OS&P staff. However, a case management officer position had been approved, and once this position was filled, the case management officer would assume responsibility for case planning and case management for HRMCC inmates.

Some staff described the lack of opportunities to engage with work, education and programs as deliberate to provide an incentive for inmates to try to achieve a transfer to HRMCC Area 2. The desire to encourage inmates to work towards their progression is understandable. However, some of the inmates in HRMCC Area 1 have no realistic prospect of being considered for progression to HRMCC Area 2 in the near future, if ever. For those inmates, there is a real risk that, rather than motivating inmates, this approach will make them more embittered, and less likely to disengage from violent extremist views.

208 Inspector of Custodial Services, *Inspection Standards for Adult Custodial Services in New South Wales* (May 2020) standard 47.5.

209 Inspector of Custodial Services, *Inspection Standards for Adult Custodial Services in New South Wales* (May 2020) standard 43.3.

210 Inspector of Custodial Services, *Inspection Standards for Adult Custodial Services in New South Wales* (May 2020) standard 46.

211 Inspector of Custodial Services, *Inspection Standards for Adult Custodial Services in New South Wales* (May 2020) standard 44.2.

212 Inspector of Custodial Services, *The Management of Radicalised Inmates in NSW* (Report, May 2018) 55.

213 Inspector of Custodial Services, *The Management of Radicalised Inmates in NSW* (Report, May 2018) 55.

214 Information provided by Goulburn Correctional Complex, 2 March 2021.

215 Information provided by Goulburn Correctional Complex, 2 March 2021.

Recommendation 36: Corrective Services NSW ensure that inmates in the High Risk Management Correctional Centre Area 1 have access to activities and services such as education and a library.

2.6.2 The Pathway to the Assessment and Treatment of High Security (PATHS) model

Our previous inspection of the HRMCC found that progression pathways were required in order to allow national security inmates to participate in disengagement services, and other rehabilitation programs. It was also necessary for inmates who wanted to disengage from extremism to be separated from those with entrenched extremist views.²¹⁶

The PATHS model was developed to identify motivated inmates to move out of HRMCC Area 1 to Area 2 where they could undertake programs and education and transition to a less restrictive environment. It is not a deradicalisation program but rather a pathway via which inmates held in the HRMCC can adjust to a more typical correctional centre routine and prepare to leave the HRMCC and for their eventual release into the community. It acknowledges that structure and support are needed to help people make this adjustment after they have been subject to a special high security regime like that in HRMCC Area 1. The PATHS model is managed by the Inmate Review Panel, which recommends placement, management and intervention strategies for HRMCC inmates.

The PATHS model consists of two phases:

- The first phase is called 'Area 2: Induction'. This phase aims to provide inmates with more time out of cell, interactions in groups of up to three inmates, individual counselling, assessments and referrals for education courses and small group programs.²¹⁷ Inmates undertaking induction were held on B-deck.
- The second phase is called 'Area 2: Programs', which in addition to the above would allow for up to seven hours per day out of cell, interactions in groups of up to five inmates, structured pro-social activities and life skills support, small-group religious and cultural support services, and approved study or education and vocational skills.²¹⁸ The plan was to hold these inmates on A-deck of HRMCC Area 2. However, at the time of the inspection this was empty and there appeared to be resistance among custodial staff to placing inmates here to undertake this phase of PATHS.

In total there were 11 inmates participating in the PATHS model at the time of inspection. They were a mix of AA and A1 classified inmates with histories of either institutional violence or terrorism offending. All 11 inmates were in the induction phase of PATHS. No inmates had been moved back to HRMCC Area 1 after being moved to Area 2 and there were no reports of violence or threats to staff.

OS&P staff facilitated the EQUIPS suite of programs for inmates participating in PATHS. They had delivered EQUIPS Foundations and EQUIPS Addiction programs and were considering the suitability of an EQUIPS Aggression program. Further EQUIPS Foundation, Addiction and Aggression programs were planned for 2021 as well as the Real Understanding of Self Help (RUSH) program. A digital literacy course had been facilitated for a group of PATHS inmates and they also had access to restricted computers, under the supervision of two staff members.

Despite significant investment in infrastructure and non-custodial staff, the implementation and operation of the PATHS model faced several challenges. After the initial refurbishment and designation of HRMCC Area 2, HRMCC Area 1 was closed for refurbishment. Consequently, all the inmates in the HRMCC Area 1

²¹⁶ Inspector of Custodial Services, *The Management of Radicalised Inmates in NSW* (Report, May 2018) 64.

²¹⁷ Information provided by Goulburn Correctional Complex, 3 February 2021.

²¹⁸ Information provided by Goulburn Correctional Complex, 3 February 2021.

were accommodated in Area 2 and it did not operate as a pathway from Area 1 from the outset. This meant HRMCC Area 2 initially operated under the policy and culture of Area 1. Unfortunately, this has resulted in the culture, policies and procedures in HRMCC Area 2 tending to mirror Area 1 rather than reflecting a more therapeutic environment. Despite HRMCC Area 2 being opened in 2018, it only commenced operating with inmates participating in PATHS in October 2020. The inspection found that this has led to confusion among management and staff about the purpose of HRMCC Area 2 and how it should operate differently to reflect this purpose. The location of Goulburn CC's segregation unit in Area 2 has only contributed to this confusion.

HRMCC Area 2 was described as relying less on physical restraints and barriers to manage inmates and more on staff presence and verbal directions. For staff, we heard it had been a process for them to adjust to and feel comfortable with this and it appeared some had not adapted. HRMCC Area 2's custodial staffing model was based on the old Goulburn CC MPU, but we heard that this was thought to be insufficient and a bid had been submitted for a staffing profile mirroring that of HRMCC Area 1. This seems at odds with the purpose of HRMCC Area 2 as a place where inmates are given an opportunity to demonstrate they can be safely held in a less restrictive environment and begin to undertake activities to help them to transition to other custodial facilities or for some, prepare for release into the community.

The implementation of the PATHS model and use of HRMCC Area 2 has been slow. The PATHS model has great potential, but work is still required for this model to be embedded and fully operational. The inspection identified that inmates participating in PATHS need to better understand what they are working toward and where they may go after they leave HRMCC Area 2. It may be appropriate for multiple pathways to be developed so that there are options that best suit the needs of different inmates. However, we consider that the maximum security area of Goulburn CC would be unsuitable for this purpose for the reasons detailed earlier in this report.

We also observed cultural issues with some staff that was frustrating the full implementation of the PATHS model, as evidenced by A-deck being empty. There was a core group of custodial staff who were resistant to working differently and were not suitable for HRMCC Area 2 or working with PATHS inmates. At the time of the inspection, the implementation of the PATHS model was being reviewed by CSNSW. We will continue to monitor its development and implementation.



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