



Inspector of  
Custodial Services

**Review of the Administration**

**of the**

**Official Visitor Program**

**December 2020**

## INTRODUCTION

Responsibility for the corrections and juvenile justice Official Visitor Programs (OVP) was moved to the Inspector of Custodial Services (ICS) in February 2014. Prior to then the OVP conducted in adult correctional centres and juvenile justice centres were managed separately by Corrective Services (CSNSW) and Juvenile Justice (JJNSW), respectively.

On handover to ICS it was considered appropriate to undertake a review of the OVP operating in the NSW adult and juvenile correctional systems. The OVP was first reviewed in 2014 and a report published in April, 2015. The report acknowledged that *'for programs to be successful it is important that they have the ability to adapt to changing circumstances. The program must be subject to continuous improvement to keep pace with changes in the correctional environment. Official Visitors must adapt and respond to these evolving circumstances, and the program must give them the means to do so successfully.'*

Since the 2015 report there has been:

- an increase in prisoner numbers
- additional correctional facilities have become operational
- continued overrepresentation of adult Aboriginal people in the correctional system.<sup>1</sup>
- recommendations relating to oversight agencies and official visitors from the Royal Commission into the Institutional Response to Child Sexual Abuse 2018<sup>2</sup>, recognising the importance of oversight in the juvenile justice system.
- the ratification by the Australian government of the Optional Protocol to the Convention against Torture and other Cruel, Inhumane and Degrading Treatment or Punishment (OPCAT) in December 2017<sup>3</sup> which is due for implementation in December 2020.

Whilst under the management of the ICS, the OVP has expanded twice. The first expansion was on 29 June 2016 when the Minister approved the recruitment of six Aboriginal Official Visitors and appointed one to each Juvenile Justice Centre (JJC) in NSW. Given the high percentage of Aboriginal young people detained in JJC, there was a clear need to have an Aboriginal Official Visitor assigned at each of the JJC in NSW (i.e. Reiby, Frank Baxter, Cobham, Acmena, Riverina and Orana).

The second expansion took place in October 2017 increasing the number of Official Visitor appointments to Corrective Services (CSNSW) facilities.

<sup>1</sup> According to the Corrections Research, Evaluation and Statistics Aboriginal Offenders report dated 1 October 2018, Aboriginal incarceration rates have remained fairly steady since 2014 (date of the last review of the program): 23-24.2% for men, 32.8-32.5% for women and 23.6-24.9% overall.

<sup>2</sup> Royal Commission into the Institutional Response to Child Sexual Abuse, 2018, *Final report – Recommendations*; <https://www.childabuseroyalcommission.gov.au/final-report>.

<sup>3</sup> [www.ohchr.org/en/hrbodies/opcat/pages/opcatindex.aspx](http://www.ohchr.org/en/hrbodies/opcat/pages/opcatindex.aspx)

There are currently 98 Official Visitor appointments across NSW (86 CSNSW, 12 JJNSW) covering 54 CSNSW facilities and six JJNSW facilities.<sup>4</sup>

In the 2017-18 reporting period, 9,275 complaints were heard by Corrective Services Official Visitors.<sup>5</sup> The vast majority of complaints raised with Official Visitors are resolved at the Centre level. Only a small number of matters are referred to the Commissioner for further attention. Official Visitors also examine the facilities and make a note of conditions which, where necessary, are communicated back to the ICS.

The ICS has been responsible for the administration of the OVP for nearly five years. The review of the program has identified a number of legislative and policy changes that could be made to enhance the administration and operation of the program, particularly with regards to the appointment of Official Visitors.

## The Scope of the Report

The terms of reference of this report addressed the following:

- Recruitment process for Official Visitors
- Length of appointment term for Official Visitors
- The need for special requirements from Official Visitors, such as criminal record checks fingerprinting and working with children checks on reappointment
- Increasing diversity in appointments of Official Visitors
- Remuneration, travel allowance and expenses of Official Visitors
- Role and Responsibilities of Official Visitors
- Confidentiality and privacy in relation to communications of Official Visitors with inmates and detainees
- Reporting requirements of Official Visitors
- Official Visitor numbers to deal with increasing prison population
- Any legislative amendment necessary to action recommendations
- Any other related matter.

## Stakeholders

It was considered important to consult with the following:

- Minister for Counter Terrorism and Corrections
- Minister for Families, Communities and Disability Services
- Corrective Services NSW
- Youth Justice NSW
- Official Visitors.

<sup>4</sup> As reported in the Inspector of Custodial Services Annual Report 2019/20.

<sup>5</sup> As per records maintained by CSNSW Executive Services and Complaint Management. Complaint statistics are not currently being recorded for Juvenile Justice.

## BACKGROUND

### History of the Official Visitor Program

#### Corrective Services

The OVP for CSNSW was established in response to recommendations contained in the Report of the Royal Commission into NSW Prisons 1978 (the Nagle Report). The Royal Commission had identified the existence of injustices and inadequacies affecting staff and inmates.

The Commission recommended that a Prison Ombudsman be established. In response, the Government established an Official Visitor program under which the visitors would report directly to the Minister responsible for Corrective Services. In 1988 the *Prisons Act 1952* was amended to provide for the appointment of Official Visitors.<sup>6</sup> It was intended that Official Visitors would provide inmates and staff of NSW correctional centres with a regular opportunity to raise issues of concern and/ or address enquiries with an individual who is independent of Corrective Services NSW (CSNSW).<sup>7</sup>

CSNSW managed the OVP. Between 1995 and 2003 the OVP was the responsibility of the Inspector General of Corrective Services. Following the discontinuation of that role in CSNSW, the NSW Ombudsman set up a specialist team to deal with complaints received from inmates. Official Visitors continued to visit centres and were managed by CSNSW until February 2014 when oversight of the OVP was handed to the Inspector of Custodial Services.

#### Youth Justice

In 1992 the *Children's (Detention Centre) Act* was amended to include Section 8A which established the role of Official Visitors. The Explanatory Note, as it appeared in the amending legislation, provides

*Official Visitors Scheme (item (1)). The proposed amendment establishes an Official Visitors Scheme for detention centres declared under the Act on(sic) the lines of the Visitors Scheme operating in respect of facilities declared under the Community Welfare Act 1987. The detention centres that will initially be the subject of the new official Visitors Scheme were previously facilities covered by the Visitors Scheme under the Community Welfare Act 1987.*<sup>8</sup>

<sup>6</sup> Section 8A *Prisons (Amendment) Act 1988*.

<sup>7</sup> Section 8A(4) *Prisons (Amendment) Act 1988*.

<sup>8</sup> *Statute Law (Miscellaneous Provisions) Act 1992* No. 34—Sch. 1, page 12.

The role of Official Visitor is to “(a) enter and inspect the detention centre at any reasonable time; and (b) confer privately with any person who is resident, employed or detained in the detention centre, and (c) furnish to the Minister advice or reports on any matters relating to the conduct of the detention centre, and (d) exercise such other functions as may be prescribed by the legislation.”<sup>9</sup>

## Establishment of the Inspector of Custodial Services and the Official Visitor Program

The Inspector of Custodial Services (ICS) was established in 2013 and its functions are detailed in the *Inspector of Custodial Services Act 2012* (NSW). The ICS is an independent statutory office. The ICS inspects adult correctional facilities and juvenile justice centres, and reports to Parliament on the findings of those inspections.

In addition, Section 6 of the Act requires the ICS to oversee and manage the Official Visitor Program (OVP) conducted under the *Crimes (Administration of Sentences) Act 1999* (NSW) and the *Children (Detention Centres) Act 1987* (NSW)<sup>10</sup>, and to advise, train and assist the Official Visitors in the exercise of their functions.<sup>11</sup>

In February 2014, the ICS took over responsibility for the OVP as prescribed by the *Inspector of Custodial Services Act 2012* (NSW).

## Role and Responsibilities of the Official Visitor

Official Visitors are appointed under the *Crimes (Administration of Sentences) Act 1999* (NSW) for the adult correctional system, and the *Children (Detention Centres) Act 1987* (NSW) for the juvenile justice system.

Official Visitors are community representatives appointed by the Minister for Counter Terrorism and Corrections or the Minister for Families, Communities and Disability Services, with the potential for reappointment.<sup>12</sup>

Corrective Services Official Visitors are required to:

- visit their assigned correctional complex or centre at least once per month for the purposes of giving interviews to correctional officers and staff employed in CSNSW and offenders held in custody at the complex or centre; and for the purpose of examining the complex or centre<sup>13</sup>
- receive and deal with complaints or inquiries<sup>14</sup>
- record complaint and inquiry statistics and provide quarterly reports to the Commissioner CSNSW<sup>15</sup>

<sup>9</sup> Section 8A(4) *Childrens (Detention Centre) Act 1987*.

<sup>10</sup> Section 6(h) *Inspector of Custodial Services Act 2012* (NSW).

<sup>11</sup> Section 6(i) *Inspector of Custodial Services Act 2012* (NSW).

<sup>12</sup> Schedule 4 clause 2 *Crimes (Administration of Sentences) Act 1999* (NSW); Section 8A(3) *Childrens (Detention Centre) Act 1987*.

<sup>13</sup> Section 228(5)(a) *Crimes (Administration of Sentences) Act 1999* (NSW).

<sup>14</sup> Regulation 166 *Crimes (Administration of Sentences) Regulations 2014*.

- report to the Minister and Inspector of Custodial Services at least once every six months.<sup>16</sup>

Juvenile Justice Official Visitors are required to:

- enter and inspect their assigned juvenile justice centre at any reasonable time<sup>17</sup>
- confer privately with any person who is resident, employed or detained at that centre<sup>18</sup>
- inspect centre records and in particular the complaints register<sup>19</sup>
- report to the Minister for Corrections and the ICS on any matters relating to the conduct of the detention centres.<sup>20</sup>

## The Legislative Framework

In New South Wales, the OVP is governed by the following legislation:

*Crimes (Administration of Sentences) Act 1999* (NSW)  
*Crimes (Administration of Sentences) Regulation 2014* (NSW)  
*Children (Detention Centres) Act 1987* (NSW)  
*Children (Detention Centres) Regulation 2015* (NSW)  
*Inspector of Custodial Services Act 2012* (NSW)

## HOW THE REVIEW WAS CONDUCTED

### Methodology

The methodology employed by the review involved the following:

- A review of NSW legislation, policies and procedures and correctional data as it relates to the OVP.
- A review of correctional and juvenile justice visiting schemes which operate in other Australian jurisdictions, which included examining the legislation, policy and correctional data of those jurisdictions. Agencies from each State and Territory were consulted in relation to their correctional and juvenile justice visiting schemes.
- Consultation with stakeholders, namely:
  - Minister for Counter Terrorism and Corrections
  - Minister for Families, Communities and Disability Services
  - Executive Director, JJNSW
  - Director Policy and Practice, JJNSW
  - Commissioner, CSNSW

<sup>15</sup> Regulation 166(1)(d) *Crimes (Administration of Sentences) Regulations 2014*.

<sup>16</sup> Section 228(5)(d) *Crimes (Administration of Sentences) Act 1999* (NSW).

<sup>17</sup> Section 8A (4)(a) *Children (Detention Centres) Act 1987*.

<sup>18</sup> Section 8A (4)(b) *Children (Detention Centres) Act 1987*.

<sup>19</sup> Regulation 55 *Children (Detention Centres) Regulations 2015*.

<sup>20</sup> Section 8A (4)(c) *Children (Detention Centres) Act 1987*.

- Assistant Commissioner, CSNSW
- Director, Corrections Executive Services & Complaints Management, CSNSW
- Manager, Corrections Executive Services & Complaints Management, CSNSW
- Official Visitors. Official Visitors were consulted at the 2017 Official Visitor Conference and/or invited to provide a response to those issues identified in the terms of reference. A dedicated session was held at the conference whereby Official Visitors discussed and workshopped their responses to the terms of reference, including:
  - Recruitment process of Official Visitors;
  - The need for criminal record checks, fingerprinting and working with children checks on reappointment of Official Visitors;
  - Increasing diversity in appointments of Official Visitors;
  - Extending appointment term for Official Visitors;
  - Remuneration, travel allowance and expenses of Official Visitors;
  - Role of Official Visitors;
  - Confidentiality and privacy of Official Visitor communications with inmates and detainees;
  - Reporting requirements of Official Visitors; and
  - The number of Official Visitors required to meet demands of an increasing prison population.

## OFFICIAL VISITOR PROGRAM

### Australian Jurisdictional Comparison

An examination and comparison of Official Visitor programs operating in all state and territory jurisdictions throughout Australia was undertaken. In doing this, legislation and policy relating to Official Visitor programs were examined. In addition, the coordinating agency for each visitor program operating within the corrections and juvenile forum was contacted and interviewed in relation to the administration of their program.

Consideration was given to how each jurisdiction addressed the terms of reference of this review. It would appear that most jurisdictions have addressed each element in either legislation or policy.

For a detailed summary of the Official Visitor Programs which operate in each Australian jurisdiction, see Appendix 1.



## Recruitment and Appointment of Official Visitors

The appointment of Official Visitors is governed by the *Crimes (Administration of Sentences) Act 1999* (NSW) for the adult correctional system, and the *Children (Detention Centres) Act 1987* (NSW) for the juvenile justice system. The legislation governing both sets of Official Visitors is largely consistent. Official Visitors are appointed by the Minister for Corrections for a period of up to two years. The legislation contemplates the reappointment of Official Visitors.<sup>21</sup>

The recruitment process for Official Visitors is comprehensive and must comply with NSW Public Service Commission Guidelines and requirements. Ideally, it aims to achieve a balance between the retention of experienced Official Visitors and recruitment of new Official Visitors, who bring a fresh perspective and diversity in experience to the OVP. There are 98 (86 CS, 12 JJ) Official Visitor appointments across CSNSW and JJNSW facilities.<sup>22</sup> The recruitment process takes approximately six months to complete to ensure Official Visitors are able to commence or continue in their role at the expiry of a term of appointment.

### The current situation

The recruitment process for new Official Visitors is as follows:

1. The number of Official Visitors required for each centre is reviewed.
2. A position advertisement is drafted and approved for dissemination.
3. The advertisement is published online as well as in a large number of publications including local newspapers and targeted community newspapers. The advertisement was placed in 27 newspapers in 2017.
4. The advertisement requires all potential applicants to contact the Official Visitor Coordinator for an application package.
5. The applicant must complete and present the following:
  - the Application Form for appointment as an Official Visitor
  - a resume (maximum of five pages)
  - a cover letter that requires a response to a topic (maximum of two pages), and
  - a response to two pre-screening questions (half a page per response).
6. The applications are reviewed by the Official Visitor Coordinator and the Inspector, and interviews are conducted before recommendations for appointment are made to the Minister.
7. The Minister determines the appointments and letters are sent to Official Visitors.
8. Criminal record checks are undertaken.
9. Induction is undertaken with the ICS Official Visitor Coordinator.

In the past, the recruitment process employed for Official Visitors seeking reappointment was the same as new appointments. For the first time in October 2017

<sup>21</sup> Section 8A(3) *Childrens (Detention Centre) Act 1987*; Schedule 4 (2) *Crimes (Administration of Sentences) Act 1999*.

<sup>22</sup> As reported in the Inspector of Custodial Services Annual Report 2019/20.



the ICS used an 'expression of interest' (EOI) for existing Official Visitors seeking reappointment. The EOI process reduced the cost of advertising and administrative burden regarding interviewing existing and experienced Official Visitors resulting in the retention of 48 experienced Official Visitors to the OVP.

### Other Jurisdictions

The recruitment process is similar in all Australian jurisdictions. It generally involves a multimodal approach to advertising, addressing a selection criteria, interview process and appointment. For details see Appendix 1.

### Proposed Changes

It is proposed that an EOI is used to reappoint existing Official Visitors. The process for reappointment of Official Visitors by EOI would be as follows:

- An EOI is emailed to existing Official Visitors with a prescribed closing date.
- The EOI will require Official Visitors to state their current assigned centre and whether they wish to be considered for reappointment. A current resume is also required. Official Visitors are required to disclose any change of personal circumstances that would preclude reappointment.
- After close of the EOI, the Official Visitor Coordinator and the Inspector will review the applications received.
- Official Visitors reports, their conduct, and years of appointment will be considered to determine their appropriateness for reappointment.
- A list of recommendations for reappointment is made to the Minister for consideration and approval.
- After a response is received from the Minister, letters of reappointment will be sent to Official Visitors.
- The Minister determines the appointments and letters are sent to Official Visitors.
- Criminal record checks are undertaken.

By employing this process, reappointments can be made and vacancies identified.<sup>23</sup>

### Filling Vacant positions with appointment of new Official Visitors

The appointment process for new Official Visitors will remain as outlined earlier.

**Recommendation 1.1** – Official Visitors are recommended for reappointment by the Minister through EOI.

<sup>23</sup> The *Appointment Standards, Boards and Committees in the NSW Public Sector*, NSW Public Service Commission have been considered to ensure that appointments are being made on demonstrated merit, that all potential appointees have been considered against assessment criteria based on the skills, experience and knowledge required for the role. [https://www.psc.nsw.gov.au/.../P2013\\_001\\_Appointment\\_Standards\\_-\\_July\\_2013.pdf...](https://www.psc.nsw.gov.au/.../P2013_001_Appointment_Standards_-_July_2013.pdf...)

**Recommendation 1.2** –Official Visitor vacancies at centres are advertised in accordance with *Public Sector Commissions Boards and Committees Appointment Standards*.

## Appointment Terms

The length of appointment terms for both CSNSW and Juvenile Justice Official Visitors are prescribed under legislation. At the time of writing under Section 8A(3) *Children (Detention Centres) Act 1987* and Schedule 4 Section 2 *Crimes (Administration of Sentences) Act 1999* an Official Visitor could hold office for a period not exceeding two years. However, they were eligible for re-appointment.

Despite there being defined two year appointment terms, there was no limit to the number of terms an Official Visitor could serve. In NSW, some Official Visitors have served over 15 years and the majority of Official Visitors have been reappointed for multiple terms.

The *Appointment Standards for Boards and Committee Members in the NSW Public Sector 2013* requires appointments to be “refreshed from time to time”. The Standards requires tenure to be no longer than ten years in total unless stated otherwise in legislation, or where such limitation would be contrary to the public interest.<sup>24</sup>

## Other Jurisdictions

While Western Australia and New South Wales have two year appointment terms,<sup>25</sup> the remainder of Australian jurisdictions have adopted longer terms.<sup>26</sup> In Queensland, ACT, Tasmania and Northern Territory, Official Visitors are appointed for a three year term. South Australia and Victoria appear to have no restriction on the time spent as an Official Visitor. Some jurisdictions have also placed a restriction on the number of reappointments. Both Queensland and Tasmania have imposed limited terms of reappointment. In Queensland, an Official Visitor can have their appointment term extended only once, thereby holding office for a maximum of six years (i.e. two x three year terms). Tasmania provides for their Prison Official Visitors to perform the role for no longer than three years. For details see Appendix 1.

<sup>24</sup> Clause 11, *Appointment Standards for Boards and Committee Members in the NSW Public Sector 2013*.

<sup>25</sup> Section 39(4) *Inspector of Custodial Services Act 2003* (WA); Section 8A(3) *Children (Detention Centres) Act 1987* (NSW); Schedule 4 Section 2 *Crimes (Administration of Sentences) Act 1999*.

<sup>26</sup> Section 285(1) *Corrective Services Act 2006* (Qld); Section 11(1) *Official Visitor Act 2012* (ACT); Section 10(1A)(a) *Corrections Act 1997* (Tas); Section 26(5) *Correctional Services Act 2014 (No 26 of 2014)* (NT).

## Proposed Action

Moving to longer appointment terms will be consistent with the majority of other jurisdictions and better reflect the length of time Official Visitors actually perform the role. In October 2017 48 Official Visitors were reappointed.

Longer appointment terms will be a more efficient and effective way of managing the OVP as it will reduce the administrative burden and costs associated with the recruitment process. Increasing the length of appointment terms will address this. It is proposed to extend appointment terms.

In addition, the ability to reappoint Official Visitors for additional terms needs to be considered. Whilst capped terms can reduce the potential for over-familiarity at a centre, it can also work against the professionalisation of the role and retaining experienced people. In the NSW context it is often possible to move Official Visitors to a different centre to remove the risk of overfamiliarity. In addition, appointment of Official Visitors to remote or regional centres in NSW is sometimes difficult. When the right person is appointed it best serves the OVP to support and maintain the person's interest in continuing in the role of Official Visitor. For these reasons it is not proposed to limit reappointment terms. The *Public Sector Appointment Standards for Boards and Committee Members* provides sufficient guidance on an acceptable tenure and the need to ensure that appointments are not for indefinite periods.

**Recommendation 2** – Consider amending legislation to increase Official Visitors appointment terms from two (2) years to four (4) year appointment terms, with the possibility of reappointment.

## Pre-employment Checks, Criminal History etc.

Criminal record checks (CRC) are required to be undertaken for all persons appointed as an Official Visitor. For Juvenile Justice Official Visitors the additional requirement of a Working With Children Check (WWCC) and clearance is necessary. These are important and necessary checks to establish the suitability of a person to access custodial facilities and perform the role of Official Visitor.

### The current situation

Currently the Official Visitor recruitment process requires that a CRC clearance is sought for all new and reappointed Corrective Services and Juvenile Justice Official Visitors. The CRC occurs after the Official Visitor is appointed by the Minister and can take three to four months to complete. During this period newly appointed Official Visitors cannot commence duties and visit correctional and juvenile justice facilities. In some instances Official Visitors are commencing duties after the commencement of their appointment period.

For reappointed Official Visitors, where clearances aren't received before the commencement of their reappointment period they must stop visiting the centre.

Official Visitors, once appointed, are required under governing legislation and their Code of Conduct to advise if they have been charged with an offence that is punishable by imprisonment of 12 or more months.<sup>27</sup>

### Other Jurisdictions

In Queensland, ACT, Victoria and Western Australia, CRC clearances occur before the Official Visitor is allowed to enter a correctional facility. For details see Appendix 1.

### Proposed Change

It is proposed to continue with the current CRC process for the appointment of Official Visitors. However, CRC checks must be conducted in a timely manner to enable Official Visitors to commence duties and for reappointed Official Visitors to perform their role without disruption. Consideration could be given to reappointed Official Visitors continuing in their role, conditional upon the issue of all necessary CRC clearances.

**Recommendation 3** – CRCs checks be conducted in a timely manner and for reappointed Official Visitors to continue in the role, conditional upon the issue of all necessary CRC clearances.

### Increasing diversity in appointments

Diversity is regarded within the *Government Sector Employment Act 2013* (NSW) as including but not limited to gender, cultural and linguistic background, Aboriginal people and people with a disability. The *Public Service Commission's Boards and Committees Appointment Standards* require agencies to make appointments that reflect the community as a whole, with particular attention to the representation of women, Aboriginal people, people with disabilities, young people and those from culturally and linguistically diverse backgrounds.

NSW juvenile and correctional facilities have high numbers of Aboriginal inmates/detainees, and an increasing number of inmates from diverse cultural and linguistic backgrounds. The OVP would benefit from diversity in Official Visitor appointments that reflect the composition of those facilities.

<sup>27</sup> See Clause 5(1)(g) of Schedule 4 of the *Crimes (Administration of Sentences) Act 1999*.

## Aboriginal Inmates and Detainees

The Aboriginal inmate population currently rests at twenty-five per-cent (25%) of the inmate population. Thirty-four (34%) of incarcerated women are Aboriginal.<sup>28</sup> However some correctional centres have a higher percentage of Aboriginal inmates or detainees than others. Over one third (35%) of NSW correctional facilities centres have Aboriginal inmate populations over thirty per-cent. The percentage of Aboriginal inmates within each correctional facility is tabled in *Appendix 2*. Despite the decrease in numbers of Aboriginal young people in detention, they remain over-represented within the juvenile justice system. In 2016/ 2017, 47% of the average daily number of young people in custody in NSW were Aboriginal compared with 3.8% of the NSW youth population (n= 47,513) being Aboriginal<sup>29</sup>.

### The Current Situation

There are currently 31 Official Visitor appointments held by Aboriginal Official Visitors in NSW (23 CSNSW; eight JJNSW).<sup>30</sup> Their professional backgrounds are diverse covering education, social work, nursing, mental health, corrections and community.

Two Aboriginal Official Visitors are appointed to the position of Aboriginal State-wide Official Visitor. The state-wide positions requires the Official Visitors to attend all correctional facilities where no Aboriginal Official Visitor is appointed. The visit involves the Official Visitor talking with Aboriginal inmates, liaising with staff, resolving complaints where possible at a local level, general observations of Aboriginal-specific programs; and involvement in any other matter that directly relates to the Aboriginal inmate population within the centre.

### Proposed Action

It is proposed to undertake targeted recruitment processes to appoint Aboriginal Official Visitors to centres with high numbers of Aboriginal inmates. In centres with high Aboriginal male populations, there will be a focus on appointing male Aboriginal Official Visitors. Targeted recruitment will be done through natural attrition in the recruitment process and in compliance with the *Public Sector Commission Boards and Committees Appointment Standards*.

**Recommendation 4.1** – Increase the appointment of Aboriginal Official Visitors in centres which have high Aboriginal inmate populations, through targeted recruitment.

- **Incarcerated Women**

Women remain a minority in the correctional system. As of 21 January 2018, 8% of the total number of inmates in the NSW prison system were female. Although numbers are small, recent increases in the growth of the female inmate population indicate a

<sup>28</sup> See Table 1, *CSNSW Aboriginal Offenders Report*, 1 August 2018.

<sup>29</sup> According to *CSNSW Research, Evaluation and Statistics Aboriginal Offenders Report*, 1 August 2018.

<sup>30</sup> As reported in the Inspector of Custodial Services Annual Report 2019/20.

need to continue our focus on the needs of women in custody. Over the last six years, the NSW female inmate population increased sixty per cent (60 %) from 650 in 2011 to 1,040 women in 2017. This growth was double the increase seen in the male inmate population.<sup>31</sup> Approximately one-third (34%) of incarcerated women identify as Aboriginal.<sup>32</sup>

### The current situation

In New South Wales, diversity among Official Visitors is not prescribed in legislation. The current gender distribution of Official Visitors is now 53% women and 47% men.<sup>33</sup>

As at November 2018 there were 14 CSNSW correctional facilities accommodating women<sup>34</sup>. The OVP had a female Official Visitor appointed to ten of these facilities. The remaining centres generally accommodated women in transit and/or for short term stays. There is one JJNSW facility which specifically caters for young women and girls (Reiby JJC). There are two Official Visitors appointments to Reiby JJC of which one is for an Aboriginal Official Visitor.

### Proposed Action

It is proposed to ensure women are appointed as Official Visitors to female correctional facilities. It is also proposed that Aboriginal women are appointed Official Visitors in female facilities with high numbers of Aboriginal inmates.

**Recommendation 4.2** – Ensure women are appointed as Official Visitors to CSNSW facilities accommodating women and JJNSW facilities accommodating young women. Aboriginal woman should be appointed to the role of Official Visitor in centres with a high percentage of Aboriginal women and girls.

### Other Jurisdictions

Both Queensland and the ACT have addressed appointment diversity within their relevant legislation. Western Australia makes reference in protocol to ensuring a diverse group of Official Visitors is appointed. The ACT requires that a minimum of two Official Visitors be appointed to a centre, with one being Aboriginal or Torres Strait Islander.<sup>35</sup> Queensland requires that where centres have two or more Official Visitors, at least one of the visitors must be a lawyer. Centres with a significant proportion of Aboriginal or Torres Strait Islander inmates must have at least one Aboriginal or

<sup>31</sup> Stewart, K Corrective Services NSW, 'Female Inmates in NSW; needs and issues'. (Draft Discussion Paper No. 17/17867, Corrective Services NSW, July 2017).

<sup>32</sup> Table 1, CSNSW Aboriginal Offenders Report, 1 August 2018

<sup>33</sup> As reported in the Inspector of Custodial Services Annual Report 2019/20.

<sup>34</sup> Mary Wade, Silverwater Womens, Special Purpose Centre, Bathurst, Berrima, Dilwynia, Mid North Coast, Broken Hill, Long Bay Hospital 1, Junee, Cessnock, Emu Plains, Grafton, Wellington Correctional Centre – as at November 2018.

<sup>35</sup> Section 10(1)(b) Official Visitor Act 2012 (ACT).



Torres Strait Islander Official Visitor, and female correctional facilities must have at least one female Official Visitor.<sup>36</sup> For details see Appendix 1.

### Proposed Action

Given the over-representation of Aboriginal inmates and detainees in correctional facilities in NSW, legislation could mandate the appointment of Aboriginal Official Visitors to centres with a high proportion of Aboriginal inmates and detainees. It is equally important for female Official Visitors to be appointed in a female detention facility.

**Recommendation 4.3** – Consider including the requirement of diversity of appointments in legislation or policy.

### Remuneration, travel allowance and expenses

Official Visitors are assigned to a correctional or juvenile justice facility and are remunerated for their services. Remuneration and expenses is paid in accordance with *NSW Public Service Commission Remuneration Schedule (1 August 2017)* and the *Crown Employees (Public Service Conditions of Employment) Award (22 November 2012)* (NSW).<sup>37</sup>

#### Current Situation

Official Visitors in New South Wales are remunerated for their time spent at a centre. Their remuneration is determined by the Public Service Commission's *Classification and Remuneration Framework for NSW Government Boards and Committees*. Official Visitors hold PSC classification D1 which prescribes the payment rate as \$239 per day. Official Visitors are also paid a half day rate of \$120 for visits of less than 4 hours. There is a current freeze to remuneration increases for Boards and Committee members, as announced in the Premier's Memorandum 2012-18.

In addition to the fees and expenses prescribed by the PSC for Boards and Committee members, Official Visitors receive a fee for preparation of the reports they provide to the Inspector, Ministers and Corrective Services NSW Commissioner. In 2009, the then Minister for Corrective Services approved payment of an administration day fee for Official Visitors in recognition of the preparation and submission of reports. It was directed that the payment be equivalent to one day's remuneration and for it to be paid quarterly. Payment was dependent on reports being submitted in a timely fashion and for only one day's remuneration to be paid, irrespective of whether an Official Visitor visits more than one centre.

<sup>36</sup> Section 286(1)(b) *Corrective Services Act 2006* (Qld).

<sup>37</sup> See also *The Classification and Remuneration Framework for NSW Government Boards and Committees Act 2015* and the *Crown Employees (Public Service Conditions of Employment) Reviewed Award 2009 NSW*.



At the time of the Ministerial directive in 2009, Official Visitors were generally appointed to only one facility and seldom visited other centres. Official Visitors are now appointed to two or three facilities, particularly in regional areas. Official Visitors are also called upon to cover vacancies whilst recruitment and appointment processes are underway. These Official Visitors are receiving the same 'Administration Day' payment irrespective of whether they have prepared one or three reports. An Official Visitor appointed to two centres will submit four reports half yearly and 8 quarterly reports. The Official Visitor who is appointed to one centre will submit a total of two half yearly reports and four quarterly reports. Both Official Visitors will receive the same administrative payment of \$239 per quarter.

### Other Jurisdictions

In most Australian jurisdictions, Official Visitor positions are voluntary and they receive either no or a nominal pay rate.

Queensland has two rates of pay for two categories of Official Visitor, namely Legal and Community. A Legal Official Visitor is paid \$350 per day and a Community Official Visitor is paid \$300 per day. It is a set rate, irrespective of the length of time the Official Visitor has spent at the centre. In Victoria, Independent Prison Visitors can claim \$100 per visit with a maximum annual payment of \$1200. ACT visitors are paid a maximum of \$540 per day pro rata up to a five hour day. Official Visitors in Tasmania receive \$25 per day. NT visitors receive a stipend and reimbursement of expenses. Official Visitors in South Australia and Western Australia receive no fees. For details see Appendix 1.

### Proposed Action

It is proposed that the administration day payment be paid for each facility to which an Official Visitor is appointed.

**Recommendation 5.1** – The Minister consider requesting a review of Official Visitors remuneration.

**Recommendation 5.2** –The Minister consider authorising an additional administration day payment to Official Visitors appointed to multiple centres.

## Role and Responsibilities of Official Visitors

The role and responsibilities of Official Visitors is prescribed in the following legislation:

- *Crimes (Administration of Sentences) Act 1999* (NSW)
- *Crimes (Administration of Sentences) Regulation 2014* (NSW)
- *Children (Detention Centres) Act 1987* (NSW)
- *Children (Detention Centres) Regulation 2015* (NSW)

Responsibility for the Official Visitor Program rests with the Inspector of Custodial Services.<sup>38</sup>

Corrective Services Official Visitors conduct their role in accordance with the provisions of the *Crimes (Administration of Sentences) Act 1999* (NSW). Juvenile Justice Official Visitors conduct their role in accordance with the provisions of the *Children (Detention Centres) Act 1987* (NSW).

Essentially the roles of both sets of Official Visitors are the same. Both Corrective Services and Juvenile Justice Official Visitors are required to visit their assigned facility; interview inmates/ detainees, custodial officers and staff; resolve complaints/ concerns at a local level; examine the facility and report to the Minister and ICS.<sup>39</sup> In addition, Corrective Services Official Visitors provide a complaint statistics report to the Commissioner<sup>40</sup> and Juvenile Justice Official Visitors are required to inspect the complaints register maintained by their centre.<sup>41</sup>

### Current Situation

There have been some occasions where Official Visitors have been confused as to their role in relation to the purpose of giving interviews to correctional officers and staff.

Section 228(5)(a) of the *Crimes (Administration of Sentences) Act 1999* (NSW) provides:

- (5) *An Official Visitor for a correctional complex or correctional centre:*
- (a) *unless prevented by illness or other sufficient cause, must visit the complex or centre at least once each month:*
- (i) *for the purpose of giving interviews to correctional officers and other members of staff employed in Corrective Services NSW at the complex or centre, and*
  - (ii) *for the purpose of giving interviews to offenders held in custody at the complex or centre, and*
  - (iii) *for the purpose of examining the complex or centre.*

They believe Section 228(5)(a)(i) requires them to take complaints from correctional officers and staff. However, complaints are expressly dealt with in Part 7, Division 1 of the *Crimes (Administration of Sentences) Regulations 2014* (NSW). Part 7 is headed 'Inmates' Requests and Complaints' and details the process of inmates' complaints and inquiries to Official Visitors. There is no reference in either the Act or Regulations to complaints from correctional officers and staff.

Correctional officers and staff may be interviewed in relation to any matter affecting, and that relates to, incarceration at their centre. This would include matters relating to the treatment of inmates such as clinic access, food quality/ delivery, unresolved maintenance issues, or the need for an additional phone in the unit. The provision

<sup>38</sup> Section 6(1) *Inspector of Custodial Services Act 2012* (NSW).

<sup>39</sup> Section 228(5) *Crimes (Administration of Sentences) Act 1999* (NSW); Section 8A *Children (Detention Centres) Act 1987* (NSW).

<sup>40</sup> Regulation 166(1)(d) *Crimes (Administration of Sentences) Regulation 2014*.

<sup>41</sup> Regulation 55(3) *Children (Detention Centres) Regulations 2015* (NSW).

does not authorise officer complaints unrelated to inmate treatment conditions. Regulation 166(3)(a) states that “*an Official Visitor must not interfere with the management or discipline of a correctional centre.*”

### Proposed Change

Having several pieces of legislation, with provisions addressing both sets of Official Visitors, has at times led to confusion among Official Visitors as to their role and responsibilities.

It would aid interpretation if all provisions were contained within one piece of legislation. As oversight of the OVP lies with the ICS, consideration should be given to amending the *Inspector of Custodial Services Act 2012* (NSW) and other legislation to consolidate all provisions, relating to the OVP, in the *Inspector of Custodial Services Act 2012*.

**Recommendation 6** - Consideration is given to the consolidation of all legislative provisions that relate to both corrections and juvenile justice Official Visitors in the *Inspector of Custodial Services Act 2012* (NSW) and for the Act to be the governing legislation for the Official Visitor Program.

## Confidentiality and Privacy of Communications

Confidentiality of communication between inmates, detainees and Official Visitors is necessary to ensure the integrity of the OVP.

### Current Situation

The legislation provides that written communications between Juvenile Justice Official Visitors and detainees are confidential. However, the same protection is not afforded to Corrective Services Official Visitors.

The confidentiality of inmates' mail is governed by the *Crimes (Administration of Sentences) Regulation 2014* (NSW). Regulation 112 allows inmate's mail to be opened, inspected and read, and any prohibited goods may be confiscated. The rule does not apply to any letter or parcel addressed to, or received from, an exempt body or exempt person. Correspondence to or from an exempt body or person is considered privileged and is governed by Regulation 113. A Member of Parliament, a legal practitioner, police officer and many statutory agencies including the Inspector of Custodial Services are an 'exempt body'.<sup>42</sup> However, Official Visitors are not 'an exempt body or person'. This means any correspondence or communication between an Official Visitor and an inmate will be captured by Regulation 112 may be opened, inspected and read.

<sup>42</sup> Regulation 3 *Crimes (Administration of Sentences) Regulation 2014* (NSW)

## Other Jurisdictions

The majority of Australian jurisdictions including: Queensland, Australian Capital Territory, Victoria, Tasmania, South Australia and Tasmania<sup>43</sup> provide that correspondence and communications between an Official/ Independent Visitor and an inmate is confidential and cannot be opened and read. For details see Appendix 1.

## Proposed Action

It is proposed that all communications between an Official Visitor and an inmate is treated confidentially. Having this protection strengthens the role of the Official Visitor and encourages inmates to raise matters without fear of reprisal.

**Recommendation 7** – Consider amending legislation to clarify all communications between Official Visitors and inmates/ detainees are confidential and that Official Visitors are considered exempt persons.

## Reporting Requirements

Reporting is essential to the role of Official Visitors. A report provides a record of the complaints received, which issues have caused most concern, what action has been taken and what needs attention. In the 2017-18 reporting period 9,275 complaints were received by Corrective Services Official Visitors, an increase of 3.6 per-cent from the 8,952 complaints received in the 2016-17 financial year. ICS complaints data indicates that Official Visitors are attending to approximately 68 complaints per 100 inmates but that overall the number of complaints per inmate has decreased slightly in the last 12 months.<sup>44</sup>

## Current Situation

Legislation requires that CSNSW and Juvenile Justice Official Visitors provide written reports to the Minister and the ICS.<sup>45</sup> Corrective Services Official Visitors must submit a report every six months. There is no legislative provision specifying the time period for Juvenile Justice Official Visitors. Section 8(4)(c) of the *Children (Detention Centres) Act 1987* (NSW) requires the Official Visitor to ‘furnish to the Minister and the Inspector of Custodial Services advice or reports on any matters relating to the conduct of the detention centre’.

In addition to the six-monthly reports, Corrective Services Official Visitors provide quarterly reports to the Commissioner for Corrective Services NSW. The quarterly report records complaint statistics and provides a summary of any unresolved matters

<sup>43</sup> Section 104(4) *Corrections Management Act 2007* (ACT); Section 47(1)(m)(i) *Corrections Act 1986* (Vic); Section 29(1)(l) *Corrections Act 1997* (Tas); Section 45(3) and Schedule 4 *Corrective Services Act 2006* (Qld); Regulation 17(1)(j) *Corrective Services Regulation 2017* (Qld); Section 104(4); *Corrections Management Act 2007* (ACT).

<sup>44</sup> For details of complaints data see *Inspector of Custodial Services Annual Report 2017-18*, pages 15-18.

<sup>45</sup> Section 228(5)(d) *Crimes (Administration of Sentences) Act 1999*, Section 8A(4)(C) *Children (Detention Centres) Act 1987*.

in need of attention by CSNSW<sup>46</sup>. The reports provide a valuable record of complaint categories and resolution and help the agency identify and address systemic issues. They also assist ICS to analyse trends and system issues, which are detailed in the Annual Report.

At present there is no complaint recording system for the Juvenile Justice Official Visitors. Feedback on issues or concerns from Juvenile Justice Official Visitors is provided through their half-yearly reports to the Minister and ICS and the Executive Director of JJNSW.

The program currently employed to record complaints data and Official Visitor reports is Survey Monkey. It is a basic data recording system that does not allow for manipulation of data sets or generation of graphs or complex reports. Complaints data and Official Visitor reports are of significant value to the ICS in identifying systemic issues.

### Other Jurisdictions

Formal reporting for Official Visitors is a requirement in all Australian jurisdictions. Time requirements differ across jurisdictions with reports being delivered either monthly, quarterly, half-yearly or annually. Reports are generally delivered to the responsible Minister, but also to the Custodial Inspectorate or public agency that manages the OVP. For details see Appendix 1.

### Proposed Action

Reporting is essential to the role of Official Visitors. Reporting should be reflected in the role and responsibilities of both CSNSW and Juvenile Justice Official Visitors.

It is important that complaint statistics are recorded so that trends are observed and, if necessary, appropriate action can be taken by the relevant agency. To aid the recording and analyses of complaints data a complaints management system should be utilised.

**Recommendation 8.1** – Juvenile Justice Official Visitors prepare reports that capture complaints statistics, report on unresolved issues and address any other matter in need of attention.

**Recommendation 8.2** – Develop and implement a robust and secure complaints management system to record and analyse data.

## Official Visitor Numbers

The growth in inmate population directly impacts on the ability of Official Visitors to effectively perform their role and carry out their responsibilities.

<sup>46</sup> Regulation 166 (1)(d) *Crimes (Administration of Sentences) Regulations 2014*

## Current Situation

In the past five years, New South Wales has seen growth in the inmate population. The majority of adult correctional centres have one Official Visitor appointed. However, where centres reach an inmate population of 500 an additional Official Visitor is appointed. The current workload ratio is one Official Visitor for up to 499 inmates.

New South Wales Corrections has the largest inmate population and number of correctional facilities in Australia. See Table 1 below.

**Table 1 Australian Prison Populations as at 2016 -2017 (ROG 2018)<sup>47</sup>**

	QLD	NSW	ACT	VIC	TAS	SA	WA	NT
<b>Number of prisoners</b>	8129	<b>12931</b>	445	6853	575	2998	6488	1639
<b>Male/ Female</b>	7405/ 724	1191 6/101 5	413/ 33	6383/ 471	527/ 48	2789/ 209	5843/ 645	1519/ 120
<b>ATSI</b>	2605	3141	92	573	109	699	2457	1377
<b>Number of facilities</b>	14	<b>49*</b>	2	14	5	9	17	4

\* CSNSW facilities as at 30 September 2018 are 58 (40 correctional centres, 2 Transitional Centres, 4 Residential facilities, 12 24 hour court cells).

## Proposed Action

It is important that inmate population numbers, per centre, are reviewed periodically. This will ensure an adequate appointment of Official Visitors and maintain high operational standards.

In 2017 Official Visitors numbers increased to 92 appointments within correctional and juvenile facilities state-wide. However, with the expansion in prison bed capacity across the State, there will be a need to increase Official Visitor numbers.

CSNSW have undertaken expansion works at 13 correctional facilities and opened a new facility with a total increased bed capacity of 5358. See Table 2 for details of the prison bed expansion and timeline.

<sup>47</sup> Chapter 8 Table 8A.1 *Report on Government Service 2017: Corrective Services*. Productivity Commission, Canberra; 2018 <http://www.pc.gov.au/research/ongoing/report-on-government-services/2017/justice/corrective-services>.

**Table 2 Prison Bed Program – Correctional Centre and Increase in Prison Bed Numbers**

Correctional Centre	Prison Bed Increase	Anticipated Completion Date
Bathurst CC	220	mid 2020
Cessnock CC	570	mid 2019
Dilwynia CC	248	mid 2020
Goulburn CC and HRMCC	131	early - mid 2019
Clarence CC	1700	mid 2020
Junee CC	480	early 2020
Long Bay	10	completed
MRRC	440	early 2021
Mid North CC	440	late 2019
Outer Metro Multi-Purpose CC	259	mid 2020
Parklea CC	500	early 2020
South Coast CC	360	mid 2019
<b>TOTAL</b>	<b>5358</b>	<b>Completion 2020</b>

In order to service an increase in prisoner numbers, Official Visitor appointments will also need to increase. This will require adequate funding to ensure that inmates are being regularly visited by Official Visitors.

**Recommendation 9** – It is recommended that the number of Official Visitor appointments is reviewed annually to ensure that there are sufficient Official Visitors appointed to meet any increase in prisoner numbers within centres.

## CONCLUSION

Since the Inspector of Custodial Services took over responsibility for the OVP, the following has been achieved:

- **Official Visitor numbers** - Official Visitor numbers have increased to meet the continued growth in inmate population.
- **Diversity in Official Visitor appointments** – Diversity has been achieved with the following:
  - The number of female Official Visitor appointments has increased to 53%.
  - An increase in Aboriginal Official Visitor appointments.
  - Juvenile Justice Official Visitors have doubled from six to 12 with the appointment of an Aboriginal Official Visitor at each youth justice centre.
- **Official Visitor training** – Conferences for Official Visitors have been held. They provide a forum for the training of Official Visitors. The following training has been delivered:



- Working with Aboriginal inmates and detainees who have experienced trauma and violence in their lives;
- Culture awareness on Islamic culture
- Complaint handling
- Trauma informed practice and child sexual abuse awareness.
- **Regular reporting to ICS and the Minister** – Official Visitors continue to meet legislative requirements of delivering half yearly reports to the Ministers, ICS, Corrective Services NSW and Youth Justice NSW. The reports continue to be of a consistently high standard.
- **Regular visits to corrections and detention facilities** – The Official Visitor Program has continued to meet the legislative requirements to visit each centre at least monthly.
- **COVID-19**. The Official Visitor Program continued operation during COVID-19.
- **Complaints resolution** – Official Visitors meet with inmates, detainees and staff to help resolve issues and concerns. Most complaints are resolved at the centre level. The remainder are referred to the Agency for attention.
- **Complaints data** – Official Visitors complaints data is recorded and analysed for the purpose of identifying system issues and is reported in the Annual Report.
- **Role and responsibilities of Official Visitors** – In consultation with Official Visitors, a Code of Conduct was developed and Official Visitor Handbooks revised.
- **Enhanced communications and sharing of information** - Quarterly teleconferences were commenced to enable Juvenile Justice Official Visitors to regularly connect and discuss key issues affecting detainees.

The review of the administration of the OVP has identified a number of possible legislative amendments to enhance the administration of the OVP.

The areas where the program could be enhanced are longer terms of appointment, remuneration, confidentiality of communications with inmates and staff, and a complaints management recording system. In addition, there must be a continual focus on the number of visits and complaints, and areas of complaint, to ensure Centres are being adequately serviced by Official Visitors and that system issues are being addressed.

Consideration should be given to making legislation amendments to achieve longer terms of appointment for Official Visitors, confidentiality of communications with inmates and staff and consolidating all Official Visitor provisions in the ICS Act. Other enhancements are able to be achieved administratively.

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## APPENDIX 1

NOTE: The information below was obtained in 2018.

### QUEENSLAND

#### CORRECTIONS

*Official Visitors Program managed by the Office of the Chief Inspector (QLD)*

**Recruitment** – Applicant provides answers to a Selection Criteria and attaches resume. Applicant is assessed based on experience, knowledge and skills in relation to identified ‘Key Responsibilities’.

**Employee Checks** – Criminal checks are conducted prior to the applicant being offered the position of Official Visitor. An applicant with a criminal conviction will not be automatically excluded from consideration for appointment.

**Diversity** – There are 3 types of Official Visitors: Community, Aboriginal and Legal. There are at least 2 Official Visitor positions per centre. One must be a ‘legal’ Official Visitor (i.e. a lawyer) and the other a ‘community’ Official Visitor (i.e. any other discipline).<sup>48</sup> If possible, appointments should be offered to appropriate Aboriginal and female applicants. Targeted advertising of Official Visitor positions occurs to attract both legal and Aboriginal Official Visitor appointments.

**Appointment Term** – An Official Visitor is appointed for a term of 3 years with the possibility of extension for an additional term of 3 years.<sup>49</sup>

**Remuneration** – Community Official Visitors are paid \$300 per visit and \$350 per visit for a legal Official Visitor. There are no half day payments. Official Visitors are expected to spend half the day conducting the visit and half the day writing the report. For visits to minimum

#### JUVENILE JUSTICE

*Community Visitors Program managed by the Office of the Public Guardian (QLD)*

Open advertisement. Public Sector recruitment process applies with selection criteria and resume required.

Community Visitor is required to disclose criminal history. Public Advocate consults police for criminal checks of applicant.

Community Visitors are chosen from varied backgrounds e.g. lawyers, social workers, psychologist, teachers, nurses.

Community Visitors are appointed for 3 years and may be reappointed<sup>50</sup>.

Community Visitors are paid \$45.83 per hour and an administrative fee for preparation of reports.

<sup>48</sup> Section 286(1) *Corrective Services Act 2006*.

<sup>49</sup> Section 285 *Corrective Services Act 2006*.

<sup>50</sup> Section 113(1) *Public Guardian Act 2014*.

security centres (i.e. workplace/ farms) Official Visitors are remunerated at \$200 per day.

**Role of the Official Visitor** – Official Visitors are required to visit monthly at their assigned centre.<sup>51</sup> Official Visitors receive complaints from inmates.

A Community Visitor has the power to enter youth detention centres to “*inspect the site and report on its appropriateness for the accommodation of the child or the delivery of services to the child, having regard to relevant State and Commonwealth laws, policies and standards; and to ensure the child’s needs are being met by staff members at the site*”.<sup>52</sup>

Community Visitors visit their centre regularly.<sup>53</sup>

**Protected Communications** - All Official Visitor communications are protected and captured within legislation.<sup>54</sup>

Community Visitor correspondence with detainees has legislative protection.<sup>55</sup>

**Reporting Requirements** – Official Visitors are required to submit monthly reports on the number and types of complaints made by inmates.<sup>56</sup> Where an Official Visitor is commissioned to work on an investigation, they will be required to submit a report. Quarterly and Annual Reports are outcome focused and are completed by the Office of Chief Inspector.

A Community Visitor is to prepare and provide a report to the Public Guardian soon after visiting a centre.<sup>57</sup>

**Official Visitor Positions per inmate/ detainee numbers** – South East Queensland Official Visitors are in a pool and can be allocated to multiple centres. There are currently 34 Official Visitors employed. Numbers of Official Visitors are not linked to prisoner numbers. Each Centre must have at least 1 Official Visitor. The larger centres have at least 3 Official Visitors: 1 community, 1 legal and 1 Aboriginal.

The Public Guardian allocates 1 or more community visitors to a youth detention centre.<sup>58</sup>

<sup>51</sup> Section 286(2) *Corrective Services Act 2006*.

<sup>52</sup> Section 56 (1)(g) *Public Guardian Act 2014*.

<sup>53</sup> Section 58 *Public Guardian Act 2014*.

<sup>54</sup> Section 341 *Corrective Services Act 2006*.

<sup>55</sup> Section 72 *Public Guardian Act 2014*.

<sup>56</sup> Section 292 *Corrective Services Act 2006*.

<sup>57</sup> Section 70 *Public Guardian Act 2014*.

<sup>58</sup> Section 55 *Public Guardian Act 2014*.

## NEW SOUTH WALES

### CORRECTIONS

*Official Visitors Program managed by the Inspector of Custodial Services (NSW)*

**Recruitment** – Applicant provides answers to a Selection Criteria and attaches resume.

**Employee Checks** – Criminal checks are conducted after the applicant is offered the position of Official Visitor. It is a rigorous process with criminal record checks, CSNSW inmate association checks and fingerprinting.

**Diversity** – There are currently no requirements around diversity.

**Appointment Term** – An Official Visitor is appointed for a term of 2 years with the possibility of extension for additional terms of 2 years.<sup>59</sup> (This has been amended to four years)

**Remuneration** – Official Visitors are paid \$239 for a full day visit (ie > 4 hours) and \$120 for a half day visit (ie < 4 hours).

**Role of the Official Visitor** – Corrective Services Official Visitors visit their assigned correctional complex or centre once per month.<sup>61</sup> Corrective Services Official Visitors receive and deal with complaints or inquiries.<sup>62</sup>

**Protected Communications** - There is no legislative protection for any communications between OVs and inmates and staff.

**Reporting Requirements** – Official Visitors are required to submit 6 monthly reports to the Commissioner and the Inspector of Custodial Services.<sup>66</sup> In addition, Corrective Services Official Visitors provide quarterly reports to the Commissioner for CSNSW, which record complaint statistics and provide a summary of

### JUVENILE JUSTICE

*Official Visitors Program managed by the Inspector of Custodial Services (NSW)*

Applicant provides answers to a Selection Criteria and attaches resume.

Criminal checks are conducted after the applicant is offered the position of Official Visitor. A Working With Children clearance is required.

There are currently no requirements around diversity.

An Official Visitor is appointed for a term of 2 years with the possibility of extension for additional terms of 2 years.<sup>60</sup>

Official Visitors are paid \$239 for a full day visit (ie > 4 hours) and \$120 for a half day visit (ie < 4 hours).

Official Visitors visit their assigned juvenile justice centre to resolve enquiries and complaints and examine the facility.<sup>63</sup> OVs also inspect centre records and in particular the complaints register.<sup>64</sup>

Written communication between Juvenile Justice Official Visitors and detainees are protected by legislation.<sup>65</sup>

Official Visitors report half yearly to the Minister and Inspector of Custodial Services.<sup>67</sup>

<sup>59</sup> Schedule 4 Section 2 *Crimes (Administration of Sentences) Act 1999*.

<sup>60</sup> Section 8A(3) *Children (Detention Centres) Act 1987*.

<sup>61</sup> Section 228(5) *Crimes (Administration of Sentences) Act 1999*.

<sup>62</sup> Regulation 166 *Crimes (Administration of Sentences) Regulations 2014*.

<sup>63</sup> Section 8A(4) *Children (Detention Centres) Act 1987*.

<sup>64</sup> Regulation 55 *Children (Detention Centres) Regulations 2015*.

<sup>65</sup> Regulation 41 *Children (Detention Centres) Regulations 2015*.

<sup>66</sup> Section 228(5)(d) *Crimes (Administration of Sentences) Act 1999*.

<sup>67</sup> Section 8A(4)(c) *Children (Detention Centres) Act 1987*.

unresolved matters for urgent attention by the Commissioner.

**Official Visitor Positions per inmate/detainee numbers** – There is an accepted practice that there should be 1 Official Visitor for every 250 inmates. With the current expansion of facilities undertaken by Corrections NSW, it is anticipated that an increased number of Official Visitors will be required to meet the increase in inmate population.

There are 2 OV positions for each Juvenile Justice facility. The number of positions is not determined by detainee numbers.

**AUSTRALIAN CAPITAL TERRITORY****CORRECTIONS**

*Official Visitors Program managed by the Public Trustee and Guardian (ACT)*

**Recruitment** - Applicants submit an expression of interest detailing their knowledge, skills and experience against the selection criteria and current Curriculum Vitae. For administrative purposes, the PT&G has oversight of the Official Visitor Program and is responsible for advertising and interviewing.

**Employee Checks** – Standard national police checks are conducted.

**Diversity** – Scheme provides for Aboriginal and Torres Strait Islander Official Visitors. At least 1 Aboriginal Official Visitor to be appointed.<sup>68</sup>

**Appointment Term** – An Official Visitor is appointed for a term of 3 years and can be considered for reappointment.<sup>70</sup>

**Remuneration** – Official Visitors are paid a maximum of \$540 per day. If Official Visitors work up to 2 hours, they are paid 2/5th of \$540; 3 hours they are paid 3/5th of \$540 and so forth. Official Visitors travel allowance is paid for. Remuneration is set by the ACT Remuneration Tribunal

**Role of the Official Visitor** – Official Visitors visit their assigned correctional facility. Official Visitors talk with inmates, inspect records and facilities, and investigate complaints of inmates.<sup>72</sup>

**Protected Communications** - Communication between a detainee and Official Visitor are protected by legislation.<sup>74</sup>

**JUVENILE JUSTICE**

*Official Visitors Program managed by the Public Trustee and Guardian (ACT)*

Applicants submit an expression of interest detailing their knowledge, skills and experience against the selection criteria and current Curriculum Vitae. For administrative purposes, the PT&G has oversight of the Official Visitor Program and is responsible for advertising and interviewing.

Standard national police checks are conducted and OVs must have a 'Working with Vulnerable People' clearance.

Scheme provides for Aboriginal and Torres Strait Islander Official Visitors. There is currently 2 Aboriginal and Torres Strait Islander OVs appointed to visit young people.<sup>69</sup>

An Official Visitor is appointed for a term of 3 years and can be considered for reappointment.<sup>71</sup>

Official Visitors are paid a maximum of \$540 per day. If Official Visitors work up to 2 hours, they are paid 2/5th of \$540; 3 hours they are paid 3/5th of \$540 and so forth. Official Visitors travel allowance is paid for. Remuneration is set by the ACT Remuneration Tribunal

Official Visitors visit the juvenile facility. Official Visitors talk with detainees, inspect records and facilities, and investigate complaints of detainees.<sup>73</sup>

Communications between a detainee and a Juvenile Justice Official Visitor are also protected by legislation.<sup>75</sup> Communications at a visit between a detainee and a Juvenile Justice

<sup>68</sup> Section 10(1)(a) *Official Visitors Act 2012*.

<sup>69</sup> Section 10(1)(a) *Official Visitors Act 2012*.

<sup>70</sup> Section 11(1) *Official Visitors Act 2012*.

<sup>71</sup> Section 11(1) *Official Visitors Act 2012*.

<sup>72</sup> Section 11(1) *Official Visitors Act 2012*.

<sup>73</sup> Section 14 *Official Visitors Act 2012*.

<sup>74</sup> Section 51 *Corrections Management Act 2007*.

<sup>75</sup> Section 179 *Children's and Young People Act 2008*.

	<p>Official Visitors must not be recorded or listened to and electronic communications between a detainee and a Juvenile Justice Official Visitors must not be monitored.</p>
<p><b>Reporting Requirements</b> – Official Visitors are required to submit quarterly reports to the Minister. Official Visitor provides a copy of the report to Director General, the Public Advocate and Official Visitors Board.<sup>76</sup></p>	<p>Official Visitors submit quarterly reports to the Minister. Official Visitor provides a copy of the report to Director General, the Public Advocate and Official Visitors Board.<sup>77</sup></p>
<p><b>Official Visitor Positions per inmate/detainee numbers</b> – No information available.</p>	<p>No information available.</p>

<sup>76</sup> Section 17 *Official Visitor Act 2012*.

<sup>77</sup> Section 17 *Official Visitor Act 2012*.



**VICTORIA****CORRECTIONS**

*Official Visitors Program managed by the Independent Prison Visitor Scheme Justice Assurance and Review Office Department of Justice and Regulation (VIC)*

**JUVENILE JUSTICE**

*Independent Visitors Program managed by the Commissioner for Children and Young People (VIC)<sup>78</sup>*

**Recruitment** - Call for volunteers through open advertisement. The Minister appoints Independent Prison Visitors (IPVs).<sup>79</sup> Justice Assurance and Review Office (JARDO) makes recommendations to the Minister. The recruitment process takes 1 year and the Public Sector selection process applies.

Call for volunteer Independent Visitor (IV) through open advertisement. Public Sector recruitment process applies. They are not ministerial appointments but are engaged by the Commissioner for Children and Young People.

**Employee Checks** – Criminal history checks are conducted. Applicants must declare criminal history and connections with prisons, criminal justice system or justice associated programs.

Criminal history checks are conducted. WWC Certificate is required.

**Diversity** – There is 1 Aboriginal Official Visitor. A range of cultural, personal and professional backgrounds are sought such as the Koori Independent Prison Visitors, contributing to the Victorian Aboriginal Justice Agreement.

There are 2 Aboriginal IVs. A range of personal and professional backgrounds are sought. There is a balance of male/ female and young/older IVs.

**Appointment Term** – An Independent Visitor is appointed for a term of 5 years and can be considered for reappointment.

No appointment term. IVs are appointed indefinitely.

**Remuneration** – Volunteers are paid an honorary payment of \$100 per visit with a maximum of \$1,200. Expenses and travel are included in the \$100 payment.

Volunteers are not paid but are reimbursed for their expenses and travel.

**Role of the Official Visitor** – Independent Visitors visit monthly at their assigned correctional centre. Independent Visitors provide “independent objective advice to the Minister for Corrections on the operation of the prison they visit. They do this through regular observation of prison routines and activities as well as the referral and reporting of any issues, concerns or positive attitudes.” “OVs also

Independent Visitors can enter centres and talk to any child or young person in custody. They can observe the general routines of the centre and talk to staff about services being provided to children and young people. After each visit, they meet with the centre's general manager to talk about their observations and discussions.

<sup>78</sup> The Commission for Children and Young People as part of its mandate under the CCYP Act administers the Independent Visitor Program in youth justice centres.

<sup>79</sup> Section 35 *Corrections Act 1986*.

undertake fortnightly exit interview questionnaires.”<sup>80</sup>

**Protected Communications** - There is no legislative protection for any Independent Visitor communications with inmates and staff.

There is no legislative protection for any Independent Visitor communications with, detainees and staff.

**Reporting Requirements** – Independent Visitors are required to submit electronic reports after each visit, to the Minister for Corrections via the Justice Assurance and Review Office (JARO), formerly the Office of Correctional Services Review (OCSR).

Independent Visitors provide a written report to the IV Coordinator 7 days after each visit. Quarterly report - quarterly meeting with Youth Justice and any themes go into a report which is prepared by the IV Coordinators to the Commissioner. Annual Report of Commissioner reports on IV Program.

**Official Visitor Positions per inmate/detainee numbers** – There are 50 Independent Visitors for 14 prisons with approximately 4,500 inmates, equating to a ratio of Independent Visitors to prisoners of 1:90. The legislative requirement is 1:150. All facilities have at least two Independent Visitors.

No information.

<sup>80</sup> Victoria Corrections, Prisons and Parole, 2018, 'Independent Prison Visitor Scheme', <http://www.corrections.vic.gov.au/utility/volunteering/independent+prison+visitor+scheme.shtml>, date viewed: 18 December 2018.

## TASMANIA

### CORRECTIONS

*Official Visitors Program managed by the Office of the Ombudsman and Health Complaints Commissioner*

### JUVENILE JUSTICE

*There is no 'Visitor' scheme for juvenile detention facilities in Tasmania. The Commissioner for Children and Young People (CCYP) is an advocate for children detained (section 10 Commissioner for Children and Young People Act 2016).*

**Recruitment** - Open advertisement occurs. Recruitment is modelled on the Public Sector selection process. Applicants provide a written application addressing the criteria contained in the job description. The office of the Ombudsman (Tas) has conduct of the recruitment process and prepares a report to the Minister. Following this the Minister appoints the Official Visitors.

**Employee Checks** – Standard national police checks are conducted. Reference checks are undertaken. Feedback from referees forms part of the selection process.

**Diversity** – Visitors come with varying backgrounds, experience, expertise and skills and bring different perspectives to the role.

**Appointment Term** – A term not exceeding 3 years.<sup>81</sup> Official Visitors can be reappointed for further terms, although the Act doesn't specifically provide for this.

**Remuneration** – Remuneration and expenses are determined by the Minister. Official Visitors are paid \$25 per hour. This includes time at centre, travel allowance, time spent travelling and report writing.

**Role of the Official Visitor** – Official Visitors visit every correctional centre at least once per month. They inquire into the treatment, behaviour and conditions of prisoners and investigate complaints by inmates. Official Visitors report to the Minister.

**Protected Communications** - Prisoners have the right to send letters to, and receive letters from, the Minister, the Director, an Official

All communications between detainees and the CCYP are confidential.<sup>83</sup>

<sup>81</sup> Section 10 (1A)(a) *Corrections Act 1997*.

<sup>83</sup> Section 18 *Commissioner for Children and Young People Act 2016*.

Visitor, the Ombudsman or the Custodial Inspector without these letters being opened by prison staff.<sup>82</sup>

**Reporting Requirements** – Official Visitors may report to the Minister or the Director at any time on the management and discipline of prisoners, the conduct of correctional officers, any matters relating to the treatment or condition of prisoners or the state of the prison. They meet quarterly, as a group, with the Minister and every 3 months with the Director of Corrections.

CCYP reports annually to parliament.

The Coordinator of the Official Visitors Scheme is required to report to the Minister annually on the activities of official visitors, their visits and the enquiries or investigations made.

**Official Visitor Positions per inmate/detainee numbers** - There are 6 Official Visitors to oversee a prison population of approximately 500 inmates.

<sup>82</sup> Section 29 (l) *Corrections Act 1997*.

**SOUTH AUSTRALIA****CORRECTIONS**

*Visiting Inspectors Program is managed by the State Coordinator, who reports directly to the Minister for Correctional Services.*

*Administration support for the program rests with the Ombudsman (SA).*

**JUVENILE JUSTICE**

*The Training Centre Visitor (TCV) is an independent statutory officer who reports to Parliament. The TCV Unit is made up of the Training Centre Visitor and three staff who are Training Centre Advocates which visit the training centre.*

**Recruitment**– Open advertisement occurs. Recruitment is subject to the Public Sector selection process. Applicants provide a written application addressing the criteria contained in the job description. The office of the Ombudsman (SA) has conduct of the recruitment process and prepares a report to the Minister. Following this, the Governor, on recommendation of the Minister, appoints the Visiting Inspectors.

Training Centre Visitors are employees of the Office of the Guardian for Children and Young People (SA) .

**Employee Checks** – Standard national police checks are conducted.

Standard public sector employee checks.

**Diversity** – The majority of Visiting Inspectors are older males.

Standard public sector workplace diversity principles apply. There is one Aboriginal Training Centre Advocate.

**Appointment Term** – Appointments are indefinite.

Not applicable

**Remuneration** – Visiting Inspectors are considered volunteers and are paid \$50 per visit to cover expenses, including time at centre, travel allowance, time spent travelling and report writing. The Coordinator receives a quarterly payment of \$500.

Not applicable – public sector employees.

**Role of the Official Visitor** – Official Visitors visit on a weekly basis which includes entering and inspecting the centre, questioning persons, inquiring into treatment of prisoners and receiving and investigating complaints.

Training Centre Visitor:

- conducts visits to training centres
- conducts inspections of training centres
- promotes the best interests of the residents of a training centre
- acts as an advocate for the residents of a training centre to promote the resolution of issues to do with their care, treatment and control
- inquiries into and provides advice to the Minister in relation to any systemic reform needed to improve the care, treatment and control of residents or the management of a

	<p>training centre</p> <ul style="list-style-type: none"> <li>• inquiries into and investigates any matter referred by the Minister.<sup>84</sup></li> </ul>
<p><b>Protected Communications</b> – Legislative protection is provided for all correspondence between a Visiting Inspector and an inmate.<sup>85</sup></p>	<p>Legislative protection is provided for all information disclosed to the Training Centre Visitor or a member of the Visitor's staff involving individual cases.<sup>86</sup></p>
<p><b>Reporting Requirements</b> – Official Visitors are required, on completion of their visit, to provide a written report to the Coordinator. The State Coordinator also has reporting requirements to the Minister.</p>	<p>The Training Centre Visitor is required to report annually to the Minister.<sup>87</sup></p>
<p><b>Official Visitor Positions per inmate/detainee numbers</b> - No information available.</p>	<p>No information available.</p>

<sup>84</sup> See Section 14 of the *Youth Justice Administration Act 2016*; and [www.gcyp.sa.gov.au/the-training-centre-visitor/](http://www.gcyp.sa.gov.au/the-training-centre-visitor/).

<sup>85</sup> Section 33 *Correctional Services Act 1982*.

<sup>86</sup> Section 20 *Youth Justice Administration Act 2016*.

<sup>87</sup> Section 18 *Youth Justice Administration Act 2016*.

**WESTERN AUSTRALIA****CORRECTIONS**

*Official Visitors Program is managed by the Office of the Inspector of Custodial Services (WA)*

**JUVENILE JUSTICE**

*Official Visitors Program is managed by the Office of the Inspector of Custodial Services (WA)*

**Recruitment** - There is a call for volunteers. Applicants submit a formal written application and then an interview with staff of the ICS is undertaken.

There is a call for volunteers. Applicants submit a formal written application and then an interview with staff of the ICS is undertaken.

**Employee Checks** – Criminal history checks are conducted. Criminal history is not itself a bar to appointment.

Criminal history checks are conducted. Criminal history is not itself a bar to appointment.

**Diversity** – There is 1 Aboriginal Official Visitor. A range of cultural, personal and professional backgrounds are sought.

There is 1 Aboriginal Official Visitor. A range of cultural, personal and professional backgrounds are sought.

**Appointment Term** – An Official Visitor is appointed for a term of 2 years with the possibility for further appointment.<sup>88</sup>

An Official Visitor is appointed for a term of 2 years with the possibility for further appointment.<sup>89</sup> There is limit on the number of terms appointed.

**Remuneration** – Nil, as Official Visitors are volunteers. Travel expenses are reimbursed.

Nil, as Official Visitors are volunteers. Travel expenses are reimbursed.

**Role of the Official Visitor** – Official Visitors visit every 3 months and must provide a written report to the Inspector for each visit and each inspection.<sup>90</sup> Official Visitors listen to concerns about prisoner treatment and conditions and are required to make a record of any complaint made in relation to a prisoner.<sup>91</sup>

Official Visitors visit every 3 months and must provide a written report to the Inspector for each visit and each inspection.<sup>92</sup> Official Visitors listen to concerns about prisoner treatment and conditions and are required to make a record of any complaint made in relation to a prisoner.<sup>93</sup>

**Protected Communications** - There is no legislative protection for any Official Visitor communications with inmates, detainees and staff.

There is no legislative protection for any Official Visitor communications with inmates, detainees and staff.

**Reporting Requirements** – Official Visitors are required to submit a written report to Inspector.<sup>94</sup> The Inspector reads the report and seeks further information/ clarification of matters

Official Visitors are required to submit a written report to Inspector.<sup>95</sup> The Inspector reads the report and seeks further information/ clarification of matters raised with the Chief

<sup>88</sup> Section 39(4) *Inspector of Custodial Services Act 2003*.

<sup>89</sup> Section 39(4) *Inspector of Custodial Services Act 2003*.

<sup>90</sup> Section 40 *Inspector of Custodial Services Act 2003*.

<sup>91</sup> Section 40(1)(b) *Inspector of Custodial Services Act 2003*.

<sup>92</sup> Section 40 *Inspector of Custodial Services Act 2003*.

<sup>93</sup> Section 40(1)(b) *Inspector of Custodial Services Act 2003*.

<sup>94</sup> Section 40(1)(b) *Inspector of Custodial Services Act 2003*.

<sup>95</sup> Section 42(1)(b) *Inspector of Custodial Services Act 2003*.

raised with the Chief Executive Officer of Corrections/ Juvenile Justice and thereafter reports to the Minister.

Executive Officer of Corrections/ Juvenile Justice and thereafter reports to the Minister.

**Official Visitor Positions per inmate/ detainee numbers** - No information available.

No information available.

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[Redacted]



## NORTHERN TERRITORY

### CORRECTIONS

*Official Visitors Program is managed by the Official Visitor Program Coordinator, Northern Territory Correctional Services, Department of the Attorney-General and Justice (NT)*

**Recruitment** - Full recruitment process with advertisement seeking expressions of interest. The applicant submits a formal written application and undertakes an interview.

**Employee Checks** – Criminal history checks are conducted.

**Diversity** – There is 1 aboriginal Official Visitor. A range of cultural, personal and professional backgrounds are sought.

**Appointment Term** – An Official Visitor is appointed for a term of 3 years with the possibility for further appointment.<sup>97</sup> There is no limit on number of terms appointed, with the longest-serving Official Visitor being 30 years of service. At least 3 Official Visitors per centre.<sup>98</sup>

**Remuneration** – Official Visitors are paid A05 Level of \$41.85 per hour plus 0.76 per km mileage allowance. They also receive \$41.85 for writing their report to the Minister.

**Role of the Official Visitor** – Official Visitors visit each correctional facility at least once per month.<sup>100</sup> Official Visitors must inquire of the treatment, behaviour and conditions faced by prisoners.<sup>101</sup>

### JUVENILE JUSTICE

*Official Visitors Program is currently managed by Territories Families Department (NT)*

Full recruitment process with advertisement seeking expressions of interest. The applicant submits a formal written application and undertakes an interview. Follow departmental recruitment process. Consideration of history of working with young people. Coordinator makes recommendation to Executive Director and the Minister appoints the Official Visitor<sup>96</sup>.

Criminal history checks are conducted and valid Working With Children Clearance required. Also need to submit a conflict of interest declaration.

No express requirement.

OV appointed by the Minister for Correctional Services under section 69(1) of Youth Justice Act 2018. Official Visitors are appointed for a 3 year term with the possibility of reappointment.<sup>99</sup> Official Visitor is required to submit an application to be considered for reappointment.

Official Visitors are paid for their time at the facility and for one (1) additional hour for the purpose of report writing. Official Visitors are not paid for travel time to and from a centre. Remuneration rates are determined by the Minister.

Official Visitors visit their centre at least once per month. They “inquire into the treatment and behaviour of, and the conditions for, detainees in the detention centre.”<sup>102</sup>

<sup>96</sup> Department of Correctional Services Response to OPCAT in Youth Detention Centre 25 May 2016 (correspondence provided by NT Government to Inspector of Custodial Services).

<sup>97</sup> Section 26(5) *Correctional Services Act 2014*; Section 169 (3) *Youth Justice Act 2005*.

<sup>98</sup> Section 26 *Correctional Services Act 2014*.

<sup>99</sup> Section 169(3) *Youth Justice Act 2018*.

<sup>100</sup> Section 29 *Correctional Services Act 2014* (NT).

<sup>101</sup> Section 30 *Correctional Services Act 2014*.

<sup>102</sup> Section 170 *Youth Justice Act 2018*.

**Protected Communications** - There is no express legislative provision which protects communications between Official Visitors and detainees.

There is no express legislative provision which protects communications between Official Visitors and detainees.

**Reporting Requirements** – Official Visitors are required to provide a written report to the Minister, as soon as practicable after their visit.<sup>103</sup>

Official Visitors must provide a written report to the Minister as soon as practicable after their visit to a centre<sup>104</sup>. Official Visitors submit their reports within 14 days after their visit.

**Official Visitor Positions per inmate/detainee numbers** – No information available.

No information available.

<sup>103</sup> Section 30(3) *Correctional Services Act 2014*.

<sup>104</sup> Section 170(2) *Youth Justice Act 2018*.

## APPENDIX 2

**NOTE: The information below was accurate in 2018**

<b>CORRECTIONAL FACILITY, OV APPOINTMENTS and ABORIGINAL INMATE POPULATION<sup>105</sup></b>			
Correctional Facility	No of OV Appointments	Number of Aboriginal OV Appointments	Percentage of Aboriginal Inmates
<b>Correctional Centres (N=40)</b>			<b>(%)</b>
Amber Laurel Correctional Centre	1		N/A
Bathurst Correctional Centre	2		32
Berrima Correctional Centre	1		31
Brewarrina (Yetta Dhinnakkal) Centre	1		96
Broken Hill Correctional Centre	1	1	67
Cessnock Correctional Centre	2	2	35
Compulsory Drug Treatment Correctional Centre	1		27
Cooma Correctional Centre	1		19
Dawn de Loas Correctional Centre	2		17
Dillwynia Correctional Centre	1		30
Emu Plains Correctional Centre	1		27
Glen Innes Correctional Centre	1		17
Goulburn Correctional Centre	3		24
Grafton Correctional Centre	1		36
High Risk Management Correctional Centre	1		5
Hunter Correctional Centre	1		20
Illawarra Reintegration Centre	1		16
Ivanhoe (Warakimi) Centre	1	1	44
John Morony Correctional Centre	2		18
Junee Correctional Centre (Privately operated)	3	1	30
Kariong Correctional Centre	1		25
Kirkconnell Correctional Centre	1		11
Lithgow Correctional Centre	2		24
Long Bay Hospital	2		15
Macquarie Correctional Centre	1		14
Mannus Correctional Centre	1	1	7
Mary Wade Correctional Centre	1		27
Metropolitan Remand and Reception Centre	4		18

<sup>105</sup> See CSNSW Aboriginal Offenders Report, Corrections Research Evaluation and Statistics, Offenders in Custody Table 12 by Correctional Centre and Gender.

<b>Metropolitan Special Programs Centre 1</b>	2		14
<b>Metropolitan Special Programs Centre 2</b>	1		34
<b>Metropolitan Special Programs Centre 3/4</b>	1		16/20
<b>Mid North Coast Correctional Centre</b>	2		47
<b>Oberon Correctional Centre</b>	1		8
<b>Outer Metropolitan Multi-purpose Correctional Centre</b>	1		17
<b>Parklea Correctional Centre (Privately operated)</b>	4		22
<b>Shortland Correctional Centre</b>	1		38
<b>Silverwater Women's Correctional Centre</b>	2	1	37
<b>South Coast Correctional Centre</b>	3		27
<b>Special Purpose Centre</b>	1		8
<b>St Heliers Correctional Centre</b>	1		14
<b>Tamworth Correctional Centre</b>	1		71
<b>Wellington Correctional Centre</b>	3	2	53
<b>Transitional Centres (N=2)</b>			
<b>Bolwara House Transitional Centre</b>	1		22
<b>Parramatta Transitional Centre</b>	N/A	N/A	N/A
<b>24 Hour Police/Court Complexes (N=11)</b>			
<b>Albury Police/Court Cell Complex</b>	1		N/A
<b>Batemans Bay Police/Court Cell Complex</b>	1		N/A
<b>Dubbo Police/Court Cell Complex</b>	1	1	N/A
<b>Lismore Police/Court Cell Complex</b>	1		N/A
<b>Moree Police/Court Cell Complex</b>	1		N/A
<b>Newcastle Police/Court Cell Complex</b>	1		N/A
<b>Port Macquarie Police/Court Cell Complex</b>	1		N/A
<b>Queanbeyan Police/Court Cell Complex</b>	1		N/A
<b>Surry Hills Police Cell Complex</b>	1		N/A
<b>Wagga Wagga Police/Court Cell Complex</b>	1		N/A
<b>Wollongong Police/Court Cell Complex</b>	1		N/A
<b>Community Residential Facilities (N=4)</b>			
<b>Balund-a (Tabulam)</b>	N/A	N/A	N/A
<b>Miruma Cottage (Cessnock)</b>	N/A	N/A	N/A
<b>Nunyara</b>	N/A	N/A	N/A
<b>Integration Support Centre (ISC)</b>	N/A	N/A	N/A
<b>TOTAL</b>	<b>80</b>	<b>11</b>	