

Custody: reception to release inspection report 2025



**Office of the
Custodial Inspector**
Tasmania

Inspection of Adult Custodial Services
in Tasmania

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About this report

This report describes the findings and recommendations from the Custodial Inspector resulting from the custody: reception to release inspection conducted in December 2022.

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Enquiries about this report and/or requests for it in alternative formats should be directed to:

Mail: GPO Box 960 Hobart, Tasmania 7001

Telephone: 1800 001 170 (free call)

Email: ci@custodialinspector.tas.gov.au

Website: www.custodialinspector.tas.gov.au

For people in custody

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Telephone: Log into your account on the Unity phone then

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2. Press 11 'Custodial Inspector'
3. Press #

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Mail: GPO Box 960 Hobart, Tasmania 7001

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From the Custodial Inspector

Entering custody can be a daunting experience. Throughout our inspection of our custody standards in December 2022, looking at reception through to release, we saw regular and positive examples of the Tasmania Prison Service (TPS) staff's empathetic understanding of this situation. Nowhere was this more pronounced than in relation to the issue of people being released from custody after close of business.

Multiple staff raised their concerns with us about people in custody being released late in the day or evening. This was often without their personal items or money if these were unable to be accessed after hours, and no way to get home, assuming they had one. People can be unexpectedly released late in the day due to decisions of the court that are outside the TPS's control. Processing court decisions late in the afternoon takes time and can result in people being released outside business hours. These late releases are particularly distressing for people released from prison in Hobart who live outside the Metro bus area, for example in the north or north-west. Public transport is not an option to get home to these areas after 5:30 pm as bus services are no longer available. If people being released unexpectedly do not have family or friends who can drop everything and pick them up, or money to pay for private transport, the prospect of sleeping rough is real.

We heard examples of staff going above and beyond what might be reasonably expected of them, including working later to facilitate release of property or finances, waiting with recently released people in the dark whilst family drove from the north-west to pick them up, or scrambling to find last-minute crisis accommodation options, including liaising with charities. However, relying on goodwill is not a long-term solution to this problem.

Multiple solutions were canvassed with us, demonstrating it was a problem that staff had discussed and considered among themselves. Some of those solutions are beyond our remit as they relate to court processes or procedures, or matters legal practitioners need to raise on their client's behalf in court. The most meaningful solution is people voluntarily restricting their liberty by staying in prison another night, which for most people would be repugnant, but for those with no other option would likely be welcomed. This is an option for people in custody in other jurisdictions in Australia and should be considered here. All that would be needed is a simple legislative amendment, and we make a



recommendation accordingly. If not addressed, this continuing problem could have potentially dangerous consequences.

Other issues identified during the inspection included inconsistent and unclear induction information for people coming into custody. Positively, since the inspection, the TPS has released video inductions, which are an excellent improvement for those with no, or limited, literacy.

During the inspections we also considered standards relating to people on remand; that is, those who are held in custody but who are awaiting legal proceedings and have not been convicted of a crime. Their special legal status means that, in some instances, their time in custody attracts different rules. The new Southern Remand Centre has been a welcome development for men on remand, but there is still no separate remand facility for women.

Classification – the process of determining whether someone is placed in minimum, medium or maximum security facilities – was reviewed as part of our inspections. The main issue arising was that the transparency of the process could be improved, primarily by providing for those in custody to be actively involved in the process.

Since our last inspection we observed positive improvements in relation to the internal complaints process. However, in relation to external complaints processes one key concern related to contacting the Integrity Commission, which was neither easy nor confidential. Therefore, we have made a recommendation to enable people in custody to easily and confidentially call the Integrity Commission to discuss reporting serious misconduct or to seek assistance submitting a written complaint. This is simple to implement but will have positive impacts in terms of improving accessibility and accountability.

We make a total of eight recommendations in this report with the view of improving the arrangements relating to our custody standards. Positively, a review of the implementation of 21 previous recommendations relating to custody showed promising progress. We deemed 13 of the recommendations completed and the remaining eight were still in progress. We will continue to monitor the progress against these outstanding recommendations as well as the new recommendations made in this report.



It is important to note that while the inspections that resulted in this report were conducted in December 2022, my inspection team has continued to monitor conditions across TPS facilities in the intervening period and is regularly in contact with the TPS and Department of Justice staff to ensure the information in this report is as up to date as possible.

Richard Connock

Custodial Inspector

May 2025



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Thank you

Thank you to the people in custody who shared their experiences with us. We greatly value their contributions to these inspections.

Thank you to the staff from the Department of Justice (DoJ) and the Tasmania Prison Service (TPS) who engaged with us. Whilst they are legislatively obliged to assist, their cooperation with the process was nonetheless very positive.

As part of the announced inspection undertaken for this report, management from the DoJ and the TPS were invited to provide a briefing to the inspection team about the various operational areas of adult custodial centres. This briefing outlined an assessment of strengths and recent achievements, current challenges and future opportunities.

We were grateful for the briefing as it provided the inspection team with a sound understanding of the strategic direction being taken regarding the custody standards we considered during the inspection.



List of recommendations

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Recommendation 2

Diversify and publicise within the prisons the manner in which people in custody can provide a representation to the Classification Review Panel. Page 31

Recommendation 3

The Tasmanian Parliament amends the Corrections legislation to enable people in custody to request to stay beyond their release date if there is sufficient reason to justify it, such as a lack of transport. Page 42

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Recommendation 5

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Recommendation 6

Tasmania Prison Service introduces processes so the details of professional calls are only provided to the relevant person in custody. Page 54



Recommendation 7

The Tasmanian Parliament legislate to require that correspondence between people in custody and complaint and oversight bodies such as the Integrity Commission, the Anti-Discrimination Commissioner and the Independent Regulator is only opened by the intended recipient.

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Recommendation 8

Tasmania Prison Service consults with the Tasmania Law Library and takes action to ensure that the legal textbooks available to people in custody outside the Southern Remand Centre are in accordance with its Director's Standing Order 4.16 *Access to Legal Resources*. Steps should include ensuring the texts are appropriate to meet the legal needs of people in custody, the existence of the textbooks is well-known, and they are easily accessible to borrow.

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Introduction and methodology

This report is based on the findings of an inspection against our custody standards, which we conducted in December 2022, and subsequent monitoring. The standards used to conduct this inspection can be found at Appendix 1: Inspection standards. As outlined in the Custodial Inspector's summary above, a number of issues were raised with us during the inspection and work has been conducted by the Tasmania Prison Service (TPS) to begin to address some of these.

We discuss our findings throughout the report by inspection standard topic.

This inspection was conducted under s13 of the *Custodial Inspector Act 2016*. Evidence sources used in conducting this report included:

- onsite visits and inspections at Tasmanian adult custodial centres;
- meetings with senior TPS management;
- conversations with staff and people in custody;
- review of documentation, including the TPS's policies;
- observations by Inspection Officers; and
- meetings with various external stakeholder groups.

A draft copy of this report was provided to the Department of Justice for comment and fact checking, and the Integrity Commission. The responses can be found at Appendix 3: Department of Justice response to recommendations and Appendix 4: Integrity Commission response.

The Department of Justice noted in its response to the draft report that recommendations three and seven in our report relate to the Tasmanian Parliament. It indicated that it is a matter for the Government if it accepts and pursues these recommendations. We have therefore requested that when the Minister tables this report in the Tasmanian Parliament that they also consider tabling a response to it, pursuant to s15(4) of the *Custodial Inspector Act 2016*.



About the Tasmania Prison Service

The Tasmania Prison Service (TPS) is responsible for providing care and custody, at various levels of security, for people who have been detained or remanded in the five adult custodial centres in Tasmania.¹

The five centres and their capacities at the time of inspection were:

Risdon Prison Complex

- medium security precinct houses 196 men
- maximum security precinct houses 103 men
- Southern Remand Centre houses 153 men

Ron Barwick Prison

- includes the O'Hara cottages
- capacity to house 252 minimum-rated men

Mary Hutchinson Women's Prison

- includes the Dr Vanessa Goodwin cottages
- capacity to house 80 women of all classifications

Hobart Reception Prison

- capacity to house 35 people (any gender) of all classifications

Launceston Reception Prison

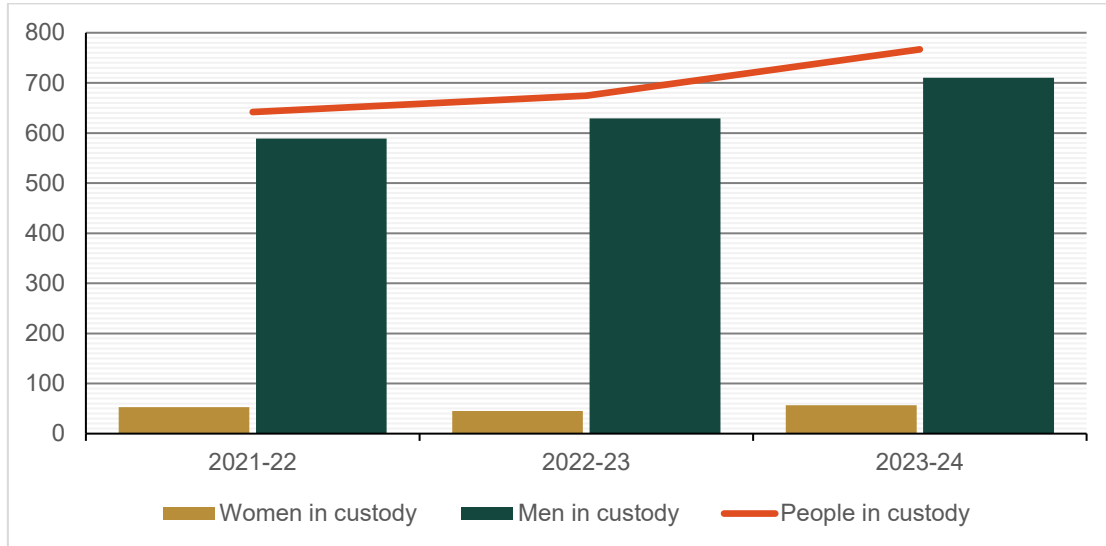
- capacity to house 26 people (any gender) of all classifications

¹ Note: For the purposes of this report, the term 'person in custody' includes people that are remanded or detained in custody.



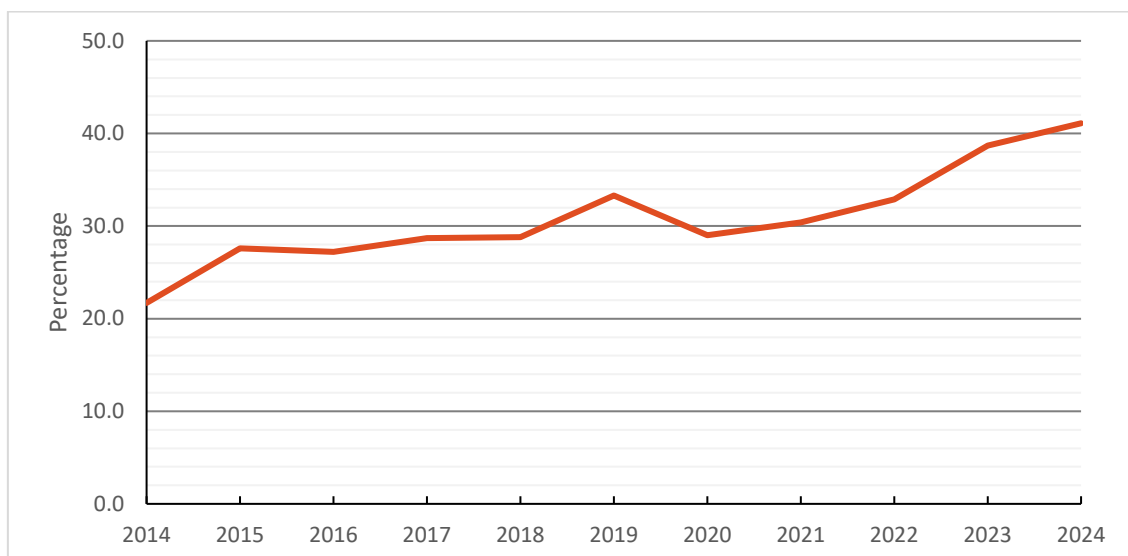
The prison population, which consists of both unsentenced and sentenced people in custody, is increasing. This is illustrated in the following graph, which was derived from TPS data.

Figure 1. Average daily number of people in Tasmania Prison Service custody



According to data obtained from the Australian Bureau of Statistics, the total number of people in custody in Tasmania has increased by 78% since 2014.² In addition, the number of people in custody who are unsentenced has increased by 89% over the same period, from 22% in 2014 to 41% in 2024.³

Figure 2. Percentage of people in custody who are unsentenced



² Australian Bureau of Statistics (2024) *Prisoners in Australia - table 15 prisoners, state/territory by selected characteristics, 2014-2024*, [data set], Australian Bureau of Statistics website, accessed 20 May 2025.

³ Ibid.



Reception and admission

Reception Prison staff recognise that first days in custody can be stressful

Entry into custody can be a stressful event. In 2020-21, people entering custody were nearly three times as likely to score high or very high levels of psychological distress compared to the general Australian population (43% versus 15%).⁴

We heard from Hobart Reception Prison (HRP) and Launceston Reception Prison (LRP) staff that newly remanded people in custody can be agitated, anxious and under the influence of alcohol and/or other drugs. This may prevent people from understanding and remembering induction information provided to them.

Reception Prison staff told us that they check in on people newly in custody on a regular basis. They talk them through how the routine works, for example mealtimes, and how legal and personal visits are organised. This is in addition to giving each person a prison induction booklet.

During recruit school, correctional officers learn about induction processes. This training includes:

- using communication strategies to establish calm exchange of information;
- providing information tailored to the person in custody's capacity to understand, and designed to calm and reassure; and
- observing a person in custody for signs of impaired functioning, distress and anxiety.

In addition to the training received in recruit school, we heard from Reception Prison staff that senior staff positively mentor junior staff regarding dealing with people newly in custody, including those who are affected by alcohol or other drugs.

⁴ Australian Institute of Health and Welfare (2023) *The health of people in Australia's prisons 2022*, Australian Government. (PHE 334):48.



Tasmania Prison Service recognises that some people in custody have increased vulnerabilities and aims to capture this during the initial assessment process

While all people in custody are vulnerable, some groups have an increased level of vulnerability. These include people with mental health care needs, people with disability, Aboriginal and Torres Strait Islanders, foreign nationals, members of the lesbian, gay, bisexual, transgender, intersex, queer, asexual, and other sexually or gender diverse (LGBTIQA+) community, and older and younger people.⁵

Within the first 24 hours of reception into custody an initial assessment is conducted, called a Tier 1. This assessment involves a review of safety, security and immediate welfare needs, as well as health needs. The assessment is completed in either the Hobart or Launceston Reception Prisons.

There are two types of Tier 1 assessment:

- the Tier 1 (Custodial) Assessment conducted by custodial officers; and
- the Tier 1 Health Assessment conducted by the Correctional Primary Health Service (CPHS). The CPHS Tier 1 screening is covered in our *Adult health care inspection report 2023*.⁶

The custodial Tier 1 assessment gathers information about the person to ensure the Tasmania Prison Service (TPS) staff can make appropriate and informed decisions regarding their management in custody. This includes information that can assist with identifying potential vulnerabilities. The person in custody is asked to answer the following questions:

- Are you of Aboriginal or Torres Strait Islander origin?
- Were you born in Australia? If no, which Country?
- Which language do you mainly speak at home?
- Do you require an interpreter?
- What is your sex recorded at birth?
- How would you describe your gender?

⁵ United Nations Office on Drugs and Crime (2009) '[Handbook on prisoners with special needs](#)', *Criminal Justice Handbook Series*, United Nations, p 1.

⁶ Office of the Custodial Inspector (2023) [Adult health care inspection report 2023](#), Office of the Custodial Inspector Tasmania, pp 220-221.



- Have you attempted or considered self-harm or suicide?
- Have you previously been assaulted or stood over in prison?
- Are you worried about your personal safety in prison?
- Do you think your sexual orientation will put you at risk in prison?

The Tier 1 also includes questions that are answered by the Custodial Officer:

- Does the prisoner present as having a disability which would place them at risk in a mainstream environment (i.e. intellectual disability, acquired brain injury, age-related disability or physical disability)?
- Is the prisoner under 20 years of age?
- Is the prisoner vulnerable, i.e. first time in prison, appears extremely young, states that they are at risk from others in custody?

Another factor that may make a person in custody more vulnerable is if they identify as transgender, as stated in *Director's Standing Order (DSO) 2.02 Induction and Case Management*. As noted above, the Tier 1 assessment does include a question asking how a person describes their gender. The Tier 1 tool has the following options in the drop-down menu to answer this question: man or male, woman or female, non-binary, or I/they use a different term. Transgender is not offered as an option. The TPS may wish to consider adding transgender as an option in the Tier 1 tool.

Foreign nationals are able to have their consulate or embassy notified and are asked if they need an interpreter

The Tier 1 provides a prompt to ask people if they hold citizenship of any countries other than Australia. If they indicate they do, then they are able to ask the TPS to inform their consulate or embassy of their detention. During our routine monitoring, we have seen Custodial Information System (CIS) notes indicating engagement with relevant consulates.

Custodial Information System (CIS) is a computer program used by Tasmania Prison Service to store information about people in custody.

The Tier 1 also prompts correctional officers to ask people if English is their first language, and if not, whether they need an interpreter. At the time of the inspection, there were 26 people in custody who were born outside Australia. The majority indicated that English was their first language or if it wasn't, that they did not need an interpreter. One person did say that they needed an interpreter, and the Tier 1 indicated that the interpreting service had been contacted. Unfortunately, there is nowhere to show that the interpreting service spoke to the person or provided interpreting services. We are not suggesting that there was no service provided, only that there is nowhere in CIS to record it occurring. At a minimum, this information could be recorded as a CIS case note.

Regarding record-keeping more generally, it is important to reinforce the importance of accurate information being recorded about people in custody. There is a 'non-English speaking background' box in the Personal Details section in CIS. This box had been ticked for some of the 26 prisoners noted above. However, when the information in this section of CIS was compared with their Tier 1 information, the box had been ticked for some people who had indicated that English was their first language and left unticked for others in the same category. The box was left unticked for the person who needed an interpreter, which meant that anyone accessing CIS would not have known they were a non-English speaker unless they looked at their Tier 1.

We spoke to this person while they were in custody and were told their English was minimal. A correctional officer who spoke their first language was able to interpret for us. It was fortuitous that this correctional officer was rostered in the facility and could provide 'on the spot' interpreting, although we also recognise that this presents risks as the person may not have been comfortable raising some issues with us through a correctional officer. Other correctional officers who did not speak this person's first language indicated in their CIS case notes how they managed to communicate with them. This included noting that the person could understand better when staff provided written information, spoke more slowly and used basic English, and used sign language and pictures to help with induction. These correctional officers are to be commended for adapting their communication to ensure the person was informed and not isolated during their time in custody.



We saw a variety of positive supports provided to people newly received into custody

We observed consistent good practice regarding matters such as people newly in custody being provided with the opportunity to inform their next of kin.

People newly in custody are also provided with the opportunity to address any outstanding issues that need to be immediately dealt with. These might include unsupervised children, pets that need to be taken care of, issues regarding employment, or a vehicle that needs to be moved. It was heartening to speak with correctional officers who told us about the variety of actions they take to ensure these external stressors are addressed.



Induction into custody

The induction process must not rely on people being able to understand written information

Tasmanians have low levels of literacy, and many are not functionally literate. Available data are dated but the last Australian Bureau of Statistics survey in 2006 indicated that 51% of Tasmanians had prose literacy. This means they are able to read texts such as books, magazines and newspapers.



The 2006 survey also indicated that 49.3% of Tasmanians had document literacy, meaning they are able to read and extract information from documents like charts, graphs and bus timetables.⁷ A more recent, but still old, survey completed in 2011-12 found 48% of Tasmanians have a literacy level of one (primary school level) or two (high school level).⁸ The Australian Government style manual recommends that documents created for the public are written in plain language and at a grade 7 reading level.⁹

People in custody are given induction booklets on entry into a new facility, or in some cases, new units within a facility. These booklets outline the rules, timetables, expectations, and other information relevant to the area they are accommodated in. At the time of the inspection, we heard that most of the induction documents had recently been rewritten.

⁷ 26Ten (2014) *Becoming a 26TEN Community: Lifting adult literacy levels in Tasmania*, 26Ten website, accessed 20 May 2025

⁸ Ibid;

Australian Public Service Commission (2024) '[Literacy and access](#)', *Australian Government Style Manual* Australian Government Style Manual website, accessed 20 May 2025.

⁹ Ibid.



Prior to the inspection, the Tasmania Prison Service (TPS) provided us with copies of the induction booklets. We ran the induction booklets through several readability applications and found there was room for improvement to make the booklets easier to read and comprehend. These included removing hard and very hard to read sentences, increasing use of the active voice and lowering the reading level from mid to low high school to an upper primary level. Other factors that should be taken into account to increase both accessibility and readability include careful selection of font, text size and line spacing.

We heard from some people in custody that they found the induction booklets difficult to read and that some of the information was confusing or missing. We made similar findings. Additionally, processes that are consistent between facilities (such as the complaints process) are not presented consistently in the induction booklets, adding an unnecessary source of confusion. A review of all induction materials together to increase consistency may be useful. The TPS should consider engaging a professional editor to review the induction documents to improve accessibility. Consideration should also be given to the creation of Easy Read induction materials that could be offered alongside lengthier induction booklets.

Recommendation 1

Improve accessibility and consistency of induction materials.

During our inspection we were told that although induction booklets are routinely given to people upon entering custody, correctional officers do not always check that the person is able to read and understand the information they contain. Conversely, management told us that staff run through the basic rules and the induction booklets with people in custody. We heard mixed reviews of the induction process, with some people telling us that they weren't told anything and others saying the process was 'okay'. The TPS should ensure that people are provided with, and are able to understand, induction information.

We were told that providing people with information on initial admission into the reception prisons can be difficult as they can be agitated, anxious or heavily intoxicated, and that welcome packs provided by the prison are often quickly discarded. The TPS should consider a formalised process for checking in on people early on following admission to answer any questions and confirm induction information. It may also be beneficial for additional induction booklets to be freely available for those who want to replace theirs or check information later in their admission.

The creation of an induction video for the Southern Remand Centre is positive

We were told during our inspection that the TPS had created an induction video for the Southern Remand Centre (SRC). This is a positive step as it does not require people to have good literacy skills to be able to understand the information given to them. People in custody provided mostly positive feedback when we asked them about the video.

Peer support for people in custody should be formalised and expanded

Peer support in the TPS involves pairing a person who is new to the prison system with a more experienced person in custody to show them around and lend support as they adjust to prison life. During our inspection, we were told how peer support works in each of the facilities. Peer supporters are commonly used to support young or vulnerable people. They tend to be chosen for the role as they are calming influences, who have been in the facility for a long time.

In Risdon Prison Complex (RPC) medium security, it is the peer supporter's role to show newly detained people around the facility and introduce them to others. However, at the time of the inspection we were told that the peer support service was not running. Across the whole of RPC and SRC, we were told that staff ask people coming into custody whether they know anyone currently in prison, as they can use their pre-existing relationships to help them settle into prison life. This appears to be a reasonable system, but without formalised peer support, misinformation about procedures and policy may inadvertently be taught to people, and gaps in knowledge will persist.

We were told during the inspection that the high rate of recidivism in Tasmania means that a lot of people have been in prison before and already know how the facilities operate. Despite previous admissions, it is a risk to assume that people are aware of all current relevant policy and procedures. Active engagement with induction processes should be encouraged.



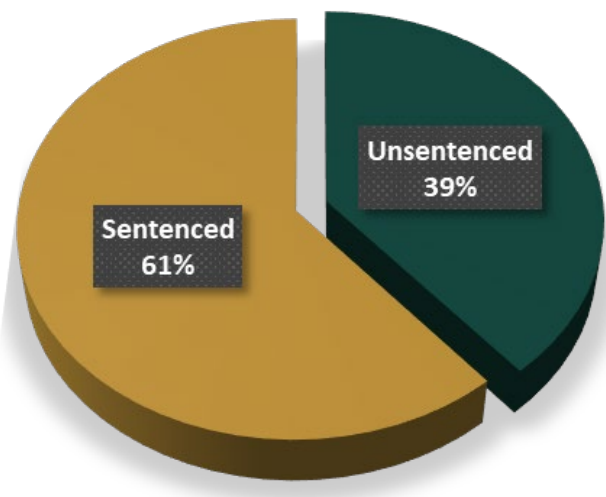
Peer support in Mary Hutchinson Women's Prison (MHWP) is widely used and peer supporters are trained by the Red Cross. This appeared to be a good system and was positive to see. During our inspection we heard that the TPS was planning to work with the Red Cross to train peer support workers in RPC and SRC in 2023. We commend this as a positive development. However, as the contract between TPS and Red Cross has recently ended, we will monitor the situation to determine what happens to the peer support programs. We understand that the TPS will be conducting a formal tender process in 2025 to appoint a new peer group facilitator. In the meantime, Men's Resources Tasmania has been facilitating some peer groups in male facilities and the feedback from people in custody we have spoken to is positive. We strongly encourage the TPS to formalise and expand peer support programs in all facilities.



People on remand

As illustrated in Figure 3, people who are unsentenced (remanded) generally make up about one third of the total prison population.^{10 11}

Figure 3. Percentage of sentenced and unsentenced persons in custody in Tasmania on 1 October 2023



Men held on remand are largely housed separately from sentenced men

Rule 11(b) of the United Nations Standard Minimum Rules for the Treatment of Prisoners provides that:

‘untried prisoners shall be kept separate from convicted prisoners’.¹²

This is also reflected in standard 5.1 of our standards.

The opening of the SRC, a maximum rated facility, has allowed the TPS to separate men being held on remand from those who have been sentenced. However, men on remand can still be accommodated in other TPS facilities

¹⁰ Australian Bureau of Statistics (2023) [Corrective Services, Australia](#), Australian Bureau of Statistics website, accessed 20 May 2025.

¹¹ Australian Bureau of Statistics (2024) [Corrective Services, Australia](#), Australian Bureau of Statistics website, accessed 20 May 2025.

¹² United Nations Office on Drugs and Crime (2016) [The United Nations Standard Minimum Rules for the Treatment of Prisoners \(the Nelson Mandela Rules\)](#), United Nations, p 5.



alongside sentenced people. Co-location of sentenced and unsentenced men may occur in the reception prisons, and in other facilities, due to disciplinary action, limited accommodation options, or because an individual has requested to be relocated to another area. For example, a person may request to be accommodated in Ron Barwick Prison (RBP), which has more education and work opportunities. This is discussed in more detail later in this report.

Women held on remand continue to be housed alongside sentenced women

There is no separate facility for women who are being held on remand. The women we spoke to during our inspection commented that it is discriminatory that sentenced and unsentenced women are housed together while a brand-new facility was built for men. This issue was addressed in our *Mary Hutchinson Women's Prison Inspection Report*, as the lack of remand facilities for women is problematic.¹³

Investment in infrastructure to ensure unsentenced women are separated from those who have been sentenced is necessary and should be incorporated into the Department of Justice Corrections Strategy. The recently scrapped Northern Correctional Facility was expected to include a 30-bed reception facility for both males and females. It is not clear from current publicly available information what the DoJ is now planning for the site, or how it plans to address the lack of remand facilities for women.

People on remand have insufficient access to employment, education and programs

People held on remand are not required to work or undertake rehabilitative programs related to their alleged offending. This is in line with our standard 5.2. However, this standard also provides that employment, programs and educational opportunities should be available to them. Participating in these activities allows people to earn more money and helps pass the time. Depending on the activity, they may also learn important new skills, which can

¹³ Office of the Custodial Inspector (2022) *Mary Hutchinson Women's Prison inspection report: inspection of the women's prison at Risdon Prison Complex in Tasmania December 2021*, Office of the Custodial Inspector Tasmania, pp 26-27.

have a variety of positive impacts including reducing recidivism risk.¹⁴ Undertaking programs related to their alleged offending during their time on remand may be beneficial if they are later sentenced and wish to apply for parole.

During our inspection, people housed in the SRC informed us that there were not enough employment positions in the facility for all those who wanted to work, and there was limited access to education. Programs addressing offending behaviours are also not available to people on remand in the SRC.

Work has been undertaken since the inspection to improve a division in RBP that is set aside for men on remand. As this is a minimum rated facility, it allows greater access, compared to the maximum rated SRC, to education and employment opportunities. It should be noted that these opportunities in RBP are delivered to people on remand, alongside sentenced men.

Access to employment, education and programs for unsentenced women was briefly discussed in our *Mary Hutchinson Women's Prison Inspection Report*.¹⁵ During this inspection, some women spoke positively about several short courses run by TasTAFE, but the overall lack of employment, programs and educational opportunities persists.

Improvement to case management for people on remand is needed

Correctional officers in the SRC are responsible for the case management of the men accommodated there. Case management involves meaningful and pro-social conversations with people in custody and ensuring their legal and other needs are being met. We heard during our inspection that this does not occur consistently. It was suggested that this was the result of time constraints, case complexity, and insufficient training in this area. We were told that correctional officers only receive one hour of instruction dedicated to case management during their six-week training program at the recruit school. Therefore, when they begin work, some may not be confident in their ability to case manage people in custody. The TPS should review training provided to

¹⁴ Giles M (2016) 'Study in prison reduces recidivism and welfare dependence: A case study from Western Australia 2005–2010', *Trends and Issues in Crime and Criminal Justice* (514):1-9.

¹⁵ Office of the Custodial Inspector (2022) *Mary Hutchinson Women's Prison Inspection Report: inspection of the women's prison at Risdon Prison Complex in Tasmania December 2021*, Office of the Custodial Inspector Tasmania, pp 26-27.



recruits in this area and consider refreshers and support to those already working on the floor.

Case management of women held on remand was discussed in our *Mary Hutchinson Women's Prison Inspection Report*.¹⁶

We were told during our inspection that the TPS Planning and Reintegration team were not funded to work with people who have not been sentenced. Since the inspection, the Planning and Reintegration team has merged with the Programs team and moved to a facility-based model, including a team based in SRC. This transition had recently occurred at the time of writing this report. We will continue to monitor and assess the impact of this transition.

People can access their own clothes to wear to court

People in custody can wear their own clothes to court. People can get clothing brought in by family or friends or wear their clothing that is stored in Statewide Property.

Figure 4. Suits stored in Statewide Property for people in custody to wear during court appearances.



¹⁶ Office of the Custodial Inspector (2022) *Mary Hutchinson Women's Prison Inspection Report: inspection of the women's prison at Risdon Prison Complex in Tasmania December 2021*, Office of the Custodial Inspector Tasmania, pp 54-55.

Classification

Engagement with the classification process could be improved

Classification refers to a person in custody's security rating.

In the Tasmania Prison Service (TPS), classification levels are maximum security, medium security, medium-low security, or minimum security.¹⁷ People in custody should be accommodated in a facility that has a security rating equal to, or higher, than the person's classification.

Notably, the Southern Remand Centre (SRC) is a maximum rated facility and the only dedicated remand facility in Tasmania, so it accommodates people on all security classifications. Minimum rated people on remand can ask to be transferred to Ron Barwick Prison (RBP), which is a minimum rated facility.

When people first come into custody, an initial classification/security assessment is completed as part of the Tier 1. This initial assessment is based on a number of factors, including the severity of the person's current charge and previous convictions, history of escape or attempting to escape, alcohol and other drug use, and current age. The security level this generates can be overridden by TPS staff based on a person's individual risk, including factors such as previous behaviour in prison, known gang affiliation, intelligence about the person and the high profile/notoriety of a person.

Classification reviews then occur during a person's time in custody. These take place after sentencing, at set timeframes during their time in custody, and at other times if a person's circumstances change, for example changes in behaviour in custody or on compassionate grounds. Regular classification reviews ensure that people in custody are accommodated at the lowest security classification level that corresponds to their assessed level of risk, that the safety of people in custody is maintained and that rehabilitation opportunities are provided.

¹⁷ Tasmania Prison Service (2024) Director's Standing Order 2.04 – *Classification and Accommodation Placement*, Department of Justice.



The Classification Review Panel is responsible for making decisions about security classifications. The Panel is comprised of six custodial staff and one non-custodial staff member and meets weekly. It appears attendance can fluctuate depending on other events or demands, but a quorum is required for the meeting to go forward.

During the inspection we attended a Classification Review Panel meeting. The Panel evaluates a list of all people in custody that are due for a classification review. Recent behaviour, prison offences and the nature of their offence are considered. Information is also provided by staff regarding each person's participation in education, employment, programs and reintegration. People in custody can provide written input into their classification reviews, and these statements are read to the group at the commencement of the discussion of the individual's case. At the meeting we attended, a number of people in custody did not provide written statements.

People in custody are provided with the outcome of their classification review and the reasons for this decision in writing (unless reporting the reasons could affect the safety and security of people in custody, or the prison). During routine monitoring we have seen some case notes where people had been verbally advised of the outcome of their classification review, in addition to in writing. They can appeal the decisions in writing.

We heard from people in custody that the reliance on written input for classification reviews can make it difficult to provide input. They told us that they used to be able to go before the Panel and speak, but now they are just given a form to fill out. If they have low literacy levels or English as a second language, they may have difficulties completing the form, and unless they are confident in asking someone for help, they are on their own. People in custody told us that if they could appear before the Panel, they could put their case forward rather than relying on a form. They suggested they could be given a five-minute time limit, and only appear if their classification review was coming down on the cusp of two different classifications, for example, medium and minimum. We also heard that some people in custody weren't given the paperwork to fill out before their classification review.



The Director's Standing Order (DSO) 2.04 *Classification and Accommodation Placement* provides that participation in the classification process by people in custody promotes transparency and encourages the growth of accountability and social responsibility. The DSO provides that people in custody are not routinely interviewed but can appear in person at the Panel's discretion. We do not discount that this happens, but in our conversations with people in custody we did not hear of anyone being interviewed, nor did anyone indicate an awareness of this as a possibility.

Diversifying the manner in which people can provide a representation to the classification panel would ensure no one is excluded from participating in the process.

Recommendation 2

Diversify and publicise within the prisons the manner in which people in custody can provide a representation to the Classification Review Panel.

Segregation and separation practices were part of our *Inhumane treatment in dry cells - review report 2024*, and will be further inspected at a later date

In our *Inhumane treatment in dry cells - review report 2024* we wrote about segregation and separation, specifically in relation to the use of dry cells.¹⁸ Other segregation and separation practices will be reviewed during a later inspection.

Classification takes into account the generally lower risk posed by women

The inspection standards refer to the classification system, taking into account the generally lower risks posed by women. During our inspection we heard about a woman's placement in maximum security for an extended period primarily due to the nature of her alleged offence, which was classed as very serious. By all reports, the person's behaviour was consistently good. Despite

¹⁸ Office of the Custodial Inspector (2024) *Inhumane treatment in dry cells – review report 2024*, Office of the Custodial Inspector Tasmania.



this, it took a considerable amount of time before she could progress to a lower security classification and be transferred out of the maximum rated security unit.

We have been advised that this issue has been actioned internally, and a gender sensitive classification system and initial assessment process has been developed that reflects the generally lower risk posed by women. The TPS is to be commended on this positive development.

Shared cell risk assessment was inadequate, but has been improved

Sometimes people in custody may share a cell. This can be for a range of reasons, including:

- it is a cell designed to accommodate two people;
- placing family or partners together;
- there are welfare concerns with someone being alone in a cell, including if it is a person's first time in custody and there is a risk of self-harm; and
- overcrowding, requiring people to double up in cells.

Placing two people in one cell also creates potential risks, which the TPS needs to appropriately manage. We heard from both TPS staff and people in custody that the risk assessment for shared cells consisted of TPS staff asking each person if they 'agreed to double up with' or 'agreed to share a cell with' a particular person, and if they both answered yes, then the cell share went ahead. We do not consider that this is a sufficiently rigorous process.

We relayed our concerns about this process to the Secretary of the Department of Justice, who advised us that there had been changes to DSOs regarding shared cell risk assessment and that the expectations around cell sharing assessments had been reinforced to TPS staff. After this information was sent to us, as part of our routine monitoring, we noted examples of shared cell risk assessments not occurring. We again wrote to the Secretary highlighting the lack of formal shared cell risk assessments being completed. The Secretary advised that the shared cell risk assessment had been reviewed, an updated DSO issued, and the expectations of TPS staff reinforced at daily morning meetings. Pleasingly, since this time, in our routine monitoring we have seen the shared cell risk assessment being completed.



Sentence administration

Sentence administration has improved

The Tasmania Prison Service (TPS) was plagued for a period with incorrect releases of people in custody, including people being released prior to their sentence finishing and after it had expired.¹⁹ The latter opens the State of Tasmania to false imprisonment claims and compensation payments.

Premature releases can have a range of consequences, including distress and uncertainty if the person incorrectly released has caused trauma as part of their crime, victims not being notified prior to their release and the costs involved in apprehending people to return them to custody.

These sentence administration errors were caused by a manual and paper-based sentence calculation system, which was prone to human error. There are also often quite complicated sentencing arrangements that are outside the control of the TPS, with differing practices between different judicial officers. Magistrates and Judges are independent, so the TPS can only use regular stakeholder meetings to highlight some of the challenges it experiences.

However, the need for changes in relation to internal TPS arrangements received media and public attention following various incidents of incorrect releases. Following these incidents, the TPS introduced a new sentence administration division that has improved this area. It is hoped the recent introduction of a new custodial software program will present opportunities for further efficiencies with sentence administration.

¹⁹ Richards B (16 August 2016) '[Risdon Prison release bungles 'absolutely unacceptable', says Attorney-General Vanessa Goodwin](#)', *Mercury News*, accessed 20 May 2025.

Gramenz E (02 September 2016) '[Risdon Prison inmate released early by mistake was at large for months before being returned to jail](#)', *ABC News*, accessed 20 May 2025.

Shine R (16 March 2017) '[Early prison release bungles continue in Tasmania, Attorney-General seeks urgent action](#)', *ABC News*, accessed 20 May 2025.

Aquilina S (22 September 2018) '[Risdon Prison releases inmate before end of sentence](#)', *Examiner News*, accessed 20 May 2025.

Aquilina S (10 September 2019) '[Risdon Prison incorrectly releases ninth inmate in four years](#)', *Examiner News*, accessed 20 May 2025.

Killick D (16 September 2021) '[Prisons let seven inmates walk free by accident](#)', *Mercury News*, accessed 20 May 2025.



Release arrangements

Just over half of people being released from the south are returning to the north or north-west

Recently released people generally return to their community and home. If they have family or friends who can pick them up at the prison and provide transport home, it is easier and cheaper for them. Otherwise, they have to pay for public transport and, to access this, may need to navigate their way around an unfamiliar area or city.²⁰ Our standards specify that prisons are to provide people in custody with a safe and effective way to return home after release.

Foreign nationals in custody may be the subject of deportation once sentenced or released. This falls under the remit of the Australian Government Department of Home Affairs.

In the 12 month period between 1 November 2021 and 31 October 2022, there were 1,568 releases from the Tasmania Prison Service (TPS). As some people may be received into and released from custody more than once in that 12 month period, 'releases' is a count of the number of occasions someone is released from the TPS custody, not a count of individual people. In this 12 month period, just over half of the releases were to addresses in the north and north west of the state (50.06%) and just under half were to addresses in the south (47.51%).

²⁰ Erickson M, Deering K, Ranville F, Bingham B, Young P, et al (2024) "They give you a bus ticket and they kick you loose": A qualitative analysis of post-release experiences among recently incarcerated women living with HIV in metro Vancouver, Canada', *Violence Against Women*, 30(11):2935-2958.

Armstrong M and Lewis N (2019) [What gate money can \(and cannot buy\)](#), The Marshall Project website, accessed 20 May 2025.



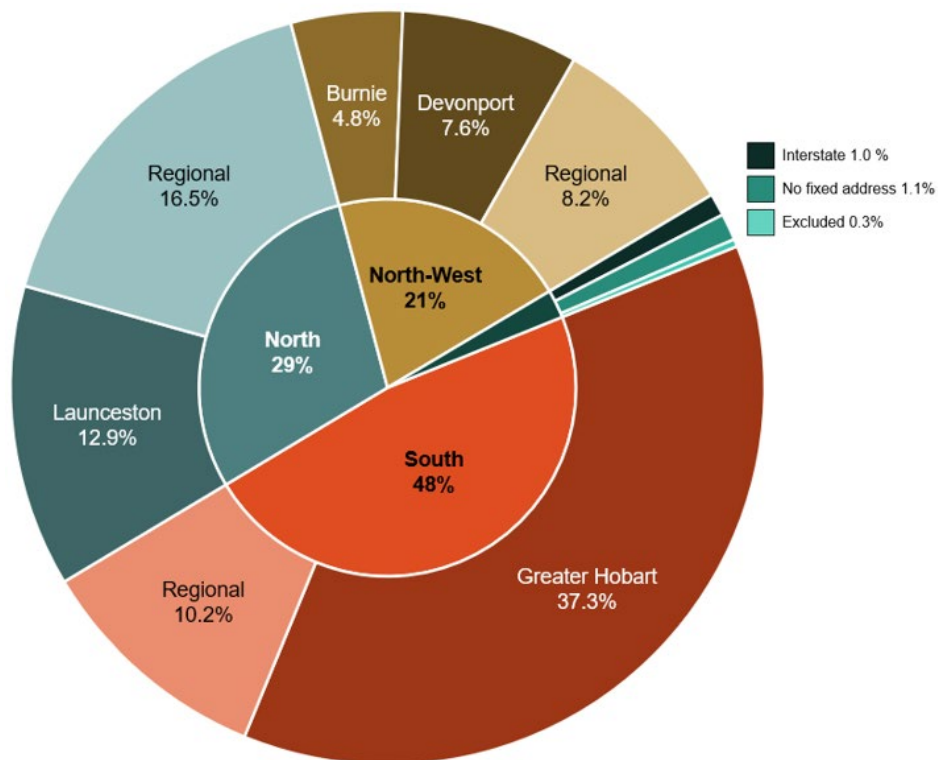
Figure 5. Map of Tasmania colour-coded to show the North, North-West and South regions.
Adapted from Australian Bureau of Statistics (<https://maps.abs.gov.au>).



Just over 90% of people in custody are located at the Risdon TPS site in southern Tasmania. The majority of people are therefore released at this location.



Figure 6. Home address locations for people in custody released from 1 November 2021 to 31 November 2022.



Travel arrangements after release need to be improved

People being released from TPS custody are expected to pay their own transport costs. However, if people do not have sufficient funds to pay for transport or aren't able to pre-arrange transport with family or friends, they may apply to TPS for assistance. Financial assistance from the TPS can be for travel within Tasmania (including King and Flinders Islands) or interstate.

People in custody must apply in writing to receive this financial assistance. As highlighted in our *Adult wellbeing inspection report 2024*,²¹ people in custody in Tasmania have low literacy levels. Therefore, reliance on written processes can pose a barrier. This process is also not suitable for people being released unexpectedly.

In the 12 months from 1 December 2021 to 30 November 2022, the TPS provided:

²¹ Office of the Custodial Inspector (2024) *Adult wellbeing inspection report 2024*, Office of the Custodial Inspector Tasmania, p 18.

- 19 Metro day tickets for local bus travel around Hobart, Launceston, or Burnie;
- 16 TransportMe tokens for bus travel between Devonport and Burnie; and
- 75 Redline tickets for bus travel from Hobart to Launceston, or Hobart to Devonport.

The TPS noted that these are the minimum numbers of tickets provided, and that the actual number may be higher as each facility has a supply of tickets that they can provide to people being released from custody. TPS Finance should be notified when these tickets are provided by the facilities, but we heard that this may not have occurred on every occasion.

The TPS does not keep a central register of the total number of people in custody who apply for payment of post-release transport costs, or the number of applications declined. This makes it difficult to know how many people access assistance.

While we make no recommendation, we encourage the TPS to improve its record keeping in relation to applications for post-release transport costs and the number and types of tickets supplied. This will help reduce the risk of fraud and the data will be likely to help with budgeting.

Problems with late releases are a concern to many

Late releases occur when people are released from custody after a prison has been secured for the evening. Evening lockup occurs between 4:00 pm and 6:00 pm, depending on the facility.

We heard from TPS staff and external stakeholders about the difficulties associated with late releases and how they affect people in custody. Late releases are releases that occur after the nightly routine lockup of a facility, which occurs between 4:00 pm and 6:00 pm, depending on the facility.

The TPS does not keep specific records of late releases, although anecdotal evidence indicates that there are approximately three to four late releases each month across all TPS facilities.



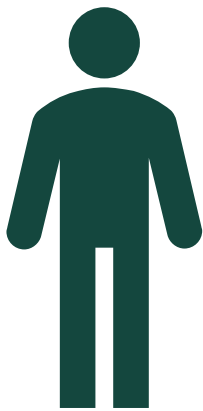
The case studies below, based on situations of people we spoke to, or cases staff specifically raised with us, highlight the problems associated with late releases.

Case Study One - William*

William appeared in Burnie Magistrates Court at 11:15 am by way of video link from Risdon and was bailed just after 3:00 pm. The TPS provided William with a travel warrant²² to pay for his bus ticket home to the north-west coast. He was able to catch the last bus leaving Hobart at 5:30 pm. This bus terminated in Launceston, and the next bus to the north-west wasn't until the following day, leaving William stranded in Launceston overnight with no accommodation. William was only able to get home that night because his partner drove to meet him in Launceston, and then drove them both back to the north-west.



Case Study Two – Stephen*



Stephen appeared in Devonport Magistrates Court at 4:15 pm by way of video link from Risdon Prison. He was released from the prison at 5:10 pm with a bail condition of a 9:00 pm curfew at his bail address/home on the north-west coast. Stephen was released too late to catch the last bus from Hobart to Launceston, which leaves Hobart at 5:30 pm. Stephen did not know anyone who could drive him home. The TPS staff told us that the night Stephen was released the temperature dropped to four degrees Celsius, and when he was released it was nearly, if not completely, dark. The TPS staff involved with Stephen's release tried to find him somewhere to sleep that night, contacting emergency accommodation providers in Hobart, but none had space. Therefore, Stephen was released with only a Metro ticket to get a bus from Risdon to Hobart. It does not appear that he was penalised for breaking his bail condition that night.

²² A travel warrant is a TPS form issued to an approved travel agency and/or company that acts as a voucher for travel services.

Case Study Three – Matilda*

Matilda appeared in Devonport Magistrates Court at 2:15 pm by way of video link from Risdon Prison and was released at 5:30 pm. Matilda was released without her property, including personal clothing and valuables, as Statewide Property had already closed for the day. Matilda was able to receive the money from her prison account because a member of the Finance team worked late to finalise her account. The TPS provided a travel warrant to pay for her bus ticket home to the north-west coast. However, Matilda had been released too late in the day to be able to catch the bus home. The TPS recognised the unsuitability of releasing Matilda to an unfamiliar area without enough money to pay for overnight accommodation, so staff contacted a local charity, which was initially going to pay for overnight accommodation, but was unable to find anywhere for Matilda to stay. The charity concluded its only choice was to drive Matilda home to the north-west, which it did that night.



Case Study Four – Henry*



Henry appeared in Hobart Magistrates Court at 2:15 pm. Henry was not expected to be released at this court appearance, so his property was not transported to court with him. Henry received bail, and by the time he was released from Hobart Reception Prison (HRP) at 6:00 pm, Statewide Property and Finance had closed for the day. Henry didn't have a fixed permanent address, and therefore was going to be released into homelessness in prison issue clothing, and without any of his personal property or money. HRP provided some clothing to Henry that had been donated by a community organisation. Fortunately, some Statewide Property staff were still onsite and worked late to retrieve Henry's property from storage, including his personal clothing and other belongings like a phone and wallet, and transport it from Risdon to HRP. However, Finance had finished for the day and Henry was released without the money from his prison account, which would include any allowances received whilst working in prison and any remaining funds family or friends may have transferred to him whilst in prison.

**All names changed for privacy.*



Late releases put stress on the people being released and the staff involved in the releases

As can be seen from the case studies, late releases can be stressful for the people being released, their family and friends, and the staff involved.

We have heard about people in custody being frustrated about late and unexpected releases. Being released late in the day without any warning means they have no time to arrange transport to their home address. This is even more difficult if their home address is not near the prison they're being released from. We've also heard about people being released from custody late in the day feeling like they are being set up to fail, with bail conditions, like Stephen's, that cannot be complied with.

Staff have highlighted to us that they feel not enough is done when late releases happen. As one staff member said, "there needs to be more than just 'here's a gate pass, good luck'." TPS staff have also told us that they have waited outside facilities, sometimes for hours, after late releases to ensure that recently released people are not alone while they await assistance (generally friends or family driving from a distance to pick up the released person). TPS staff have said that while Finance and Statewide Property are often closed when late releases occur, there have been numerous times when staff have worked late to ensure people leaving custody have their money and property.

A **gate pass** is a document that authorises a person to leave (or enter) a prison.

Late releases are usually due to delayed paperwork being received by the Tasmania Prison Service, or bail applications scheduled for the afternoon

Bail applications are often scheduled for the afternoon. This then means that the TPS receives paperwork late in the afternoon. The processing of this paperwork is not straightforward, and release cannot always occur immediately as various matters may need to be cross checked and confirmed, for example, if there are other active charges.



The system currently used by the TPS to receive and process paperwork is largely manual. Paperwork, including bail documents and sentence documents, are sent by the courts to the TPS, but there can be delays in receiving this paperwork after the hearing. Once the TPS does receive it, there are manual checks by two different people, and it is then signed by the person in custody. After these steps are completed, a gate pass is generated which allows the person in custody to be released. All of this is labour intensive and takes time. When a new software program, Astria, is introduced across the prison service and the courts, hopefully a number of efficiencies will be found, which may reduce the number of late releases. It is uncertain, however, when Astria will be rolled out across all these jurisdictions.

Long term solutions to the problems around late releases require legislative change

The [*Corrections Regulations 2018*](#) regulate when a person in custody is to be released. For people in custody who are sentenced, regulation 23 provides that they are to be released between 6:00 am and 5:00 pm. For people in custody who are unsentenced, regulation 24 provides that they are to be released immediately after the order for their detention expires. The Regulations have no provision for people in custody to request to stay beyond their release date. Therefore, while the TPS recognises the unsuitability of late releases that result in negative outcomes, they are bound by the Regulations.

Some other Australian jurisdictions have provisions in their legislation to enable people in custody to request to remain in a corrective services facility after their release date. New South Wales provides for people in custody to be released from custody at any time during the period of four days after their release date if there is a good reason to delay the release, such as lack of transport. Critically, the person in custody must request or consent to this delayed release.²³ Queensland provides for people in custody to apply to remain in a corrective services facility for up to four days after their release day.²⁴ Western Australia provides for people in custody to request to remain in prison until the morning of the day following the date of discharge.²⁵

²³ New South Wales Legislation (2024) [Crimes \(Administration of Sentences\) Act 1999, section 8A](#), New South Wales Government, accessed 20 May 2025.

²⁴ Queensland Legislation (2024) [Corrective Services Act 2006, section 111](#), Queensland Government, accessed 20 May 2025.

²⁵ Western Australian Legislation (2024) [Prisons Regulations 1982, regulation 42](#), Government of Western Australia, accessed 20 May 2025.



For Tasmania to have a similar option for people in custody to stay beyond their release date, particularly if they are the subject of a late release, there would need to be legislative change.

Recommendation 3

The Tasmanian Parliament amends the Corrections legislation to enable people in custody to request to stay beyond their release date if there is sufficient reason to justify it, such as a lack of a transport.

Stakeholders highlighted several other solutions that they considered may address the issue of late releases. However, they are primarily solutions that are reliant on the courts, or legal practitioners making appropriate submissions in court, and as such are beyond the remit of the Custodial Inspector to make recommendations.

These possible solutions included:

- Body warrants being issued for bail applications rather than video link appearances, which would mean that people in custody are taken from prison to appear in person at court, which may be nearer their home address (noting that their property would be transported along with them).
- Scheduling bail application hearings for the morning court sessions to allow more time for releases to be arranged during the day.
- Legal practitioners, or self-represented people in custody, making submissions to the court to have the bail date and time specified for the morning following the person's appearance in court, where necessary. This means that the TPS can legally release the person the next morning rather than a release late in the day.

A **body warrant** is a document that requires a person to be physically in court, and not appearing by video-link.

Information on the internal complaint process is inconsistent in induction manuals

The way in which the complaints process is described in most of the manuals is confusing, and only four of the ten induction manuals mention that complaint forms are available.

Tasmania Prison Service

Prisoner Complaint Form – Form 6E



You can make a complaint on any matter except those where an appeals process is available.

Your complaint will be considered fairly and properly and you will not be penalised for making a complaint.

You may refer complaints that are not resolved to your satisfaction to an external authority.

Operational Complaint

Unless your complaint is a Confidential Complaint, you should try to resolve the issue with an appropriate staff member before lodging this form. Issues can usually be resolved quicker if you raise them locally.

If the staff member is unable to resolve your complaint, you will need to complete this form.

Confidential Complaint

If your complaint is of a confidential nature, you will need to complete this form and place it in a sealed envelope addressed to the Complaints Coordinator.

Complaints incorrectly marked as a Confidential Complaint will be referred back to correctional staff within your accommodation area or on to the relevant department.

Prisoner details *Prisoner to complete*

Full Name: _____ OTS No: _____

Unit/Division: _____ Prison: _____

What is your complaint about? *Tick boxes below*

Operational Complaint

☐ Canteen, phone or money	☐ Prison conditions or routines	☐ Visits
☐ Classification or accommodation	☐ Programs or education	☐ Bullying, harassment or discrimination by other prisoners
☐ Disciplinary matters	☐ Property	☐ Other prisoners
☐ Health services	☐ Work or pay	☐ Other _____

Confidential Complaint

☐ Staff conduct, ill-treatment or behaviour	☐ Serious breaches of rules, legislation or policy	☐ Sensitive medical issue
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Details of complaint *Submit extra pages if necessary*

Declaration by prisoner

Have you lodged the same complaint with anyone else (e.g. Ombudsman / Official Visitor / Minister / Health Complaints Commissioner etc.)? ☐ Yes ☐ No

Signature of Prisoner: _____ Date: _____

By signing this complaint, you authorise the Tasmania Prison Service to refer all complaints regarding health related matters to the Correctional Primary Health Service. Please now submit your complaint.

Form 6E – Prisoner Complaint Form

Version 3.0

Page 1 of 2

Form 6E – Prisoner Complaint Form

Version 3.0

Page 2 of 2

The simplest explanation of the complaints process is available from the Mersey induction manual, which contains the following:

You should always attempt to resolve any complaints with a unit officer in the first instance. This can be done in the form of a verbal conversation or a request form. If you wish to proceed further with a complaint, you may submit a Complaint form, staff are able to help you with this if required.

Should you believe your complaint can not be managed by the TPS you can lodge a confidential complaint in writing to the following:

- Office of the Custodial Inspector *[it should be noted that our office does not deal with complaints, so this is not correct]*
- Official Visitors
- The Ombudsman
- Health Complaints Commissioner

The induction manual for the Southern Remand Centre (SRC) is more detailed and tells people in custody how to contact some external complaint bodies. The *Custody inspection report 2018* noted that some induction booklets require updating to include more information on the process for contacting the Ombudsman and Official Visitors, including postal address and instructions on how to call using the prison telephone system, as well as information about the Custodial Inspector.²⁶

The TPS categorises the complaints it receives as operational or confidential. The difference between these complaints, as well as how to make them, is not explained in the induction manuals.

Recommendation 4

Internal complaints process information should be made clearer and be consistent across induction manuals for the various prisons.

²⁶ Office of the Custodial Inspector, *Custody Inspection Report – Adult Custodial Services*, Office of the Custodial Inspector Tasmania, Hobart, p 101.

Positively, after the inspection the TPS started work on an Easy Read or accessible document outlining the complaints process. It was consulting on the content with a range of stakeholders and work was still being done to finalise the document in May 2025.

Following our inspection, we requested complaints data from the TPS for 2021 to 2024. Between July 2021 and June 2024, the TPS recorded 1,358 complaints from people in custody, with an average of 450 each year. Of these complaints, approximately half were operational, and half were confidential. The number of complaints made by people in custody seems indicative of a healthy complaints culture, although we did hear from some people that they felt there was no point in making a complaint as nothing was done. Despite this, the TPS does appear to be responsive to complaints. This is described in further detail below.

Operational complaints relate to everyday matters

Operational Complaints relate to complaints of a general nature, dealt with verbally or through the staged written complaints process.

DSO 5.11 Complaints Process (TPS 2020)

Operational complaints include matters such as:

- bullying, harassment or discrimination by other people in custody;
- classification or accommodation;
- health services (although matters related to Correctional Primary Health Services would be handled by that service); and
- prison conditions or routines.

The number of operational complaints has been increasing each year, from 152 in the 2021-22 financial year to 289 in 2023-24. This is not necessarily reflective of worsening conditions and may be due to other factors such as people in custody having confidence in the complaints process, inability to resolve complaints on the floor due to short staffing, or increased numbers of people in custody. As discussed above, the first step of the complaints process is to try to resolve the issue directly. Therefore, it is possible that there were more issues that occurred and were resolved directly than the number of issues reflected in the complaints register.



Of the operational complaints raised between July 2021 and June 2024, the majority related to issues with property (22%), followed by treatment/conditions in custody (15%), canteen purchases (7%) and physical health (7%). The TPS responds promptly to most complaints. The average time to close operational complaints was eight days, with 85% of complaints closed within two weeks. A total of 23 complaints (3.4%) were open for more than six weeks.

The majority of operational complaints were classed as resolved by the TPS. According to Director's Standing Order (DSO) 5.11 *Complaints Process*, this means that:

an indiscriminate error has occurred and action has been taken to correct the situation. Similarly, this finding could apply if the matter has been resolved successfully, without fault of liability [*sic*] being ascertained, by the time the response is written and no further action is necessary.

The next two most commonly occurring outcomes for operational complaints were that they were rejected, or they were found to be unsubstantiated. DSO 5.11 defines unsubstantiated complaints as those found to not have a basis for complaint following an investigation. The DSO also outlines that complaints may be rejected for several reasons including:

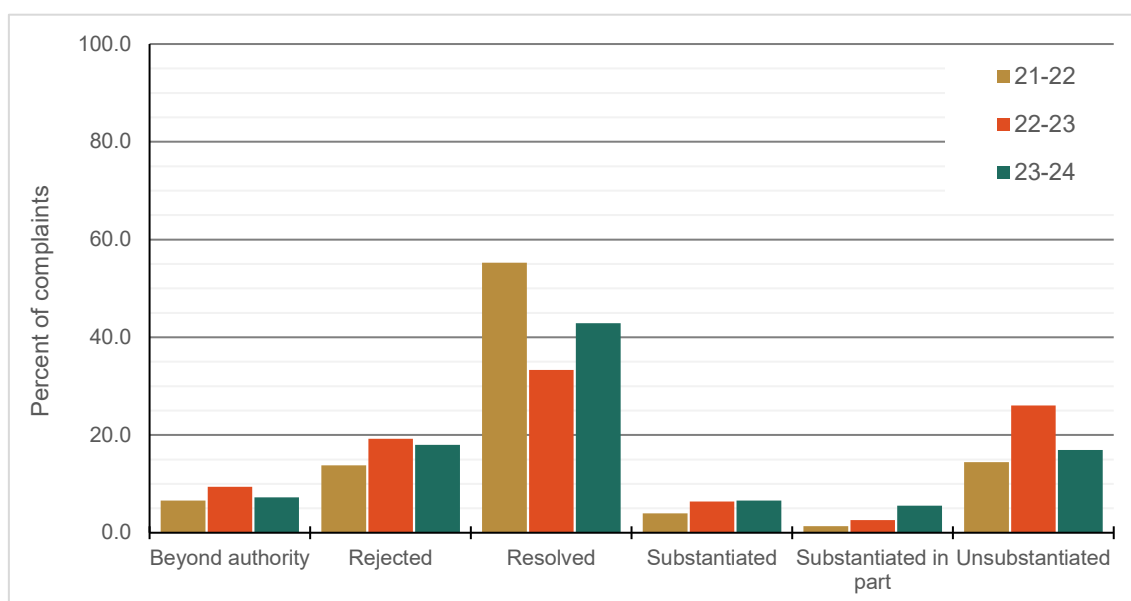
- insufficient evidence to allow the complaint to be investigated;
- the complaint having already been lodged through another channel (for example an external body); and/or
- the complaint being seemingly frivolous or vexatious, or containing particularly offensive language.

If complaints are rejected or found to be unsubstantiated, the complainant should be informed of this in writing. The DSO also provides that if a complaint is rejected due to the language used, the complainant is informed of this and given the opportunity to rewrite it.

All operational complaint outcomes for the last three financial years are shown in the below graph.



Figure 8. Outcome of operational complaints by financial year



Confidential complaints are dealt with more securely

Confidential Complaints relate to matters of a more serious nature, dealt with by the Chief Superintendent or relevant Senior Manager, via the TPS Complaints Coordinator.

DSO 5.11 Complaints Process (TPS 2020)

Confidential complaints include matters such as:

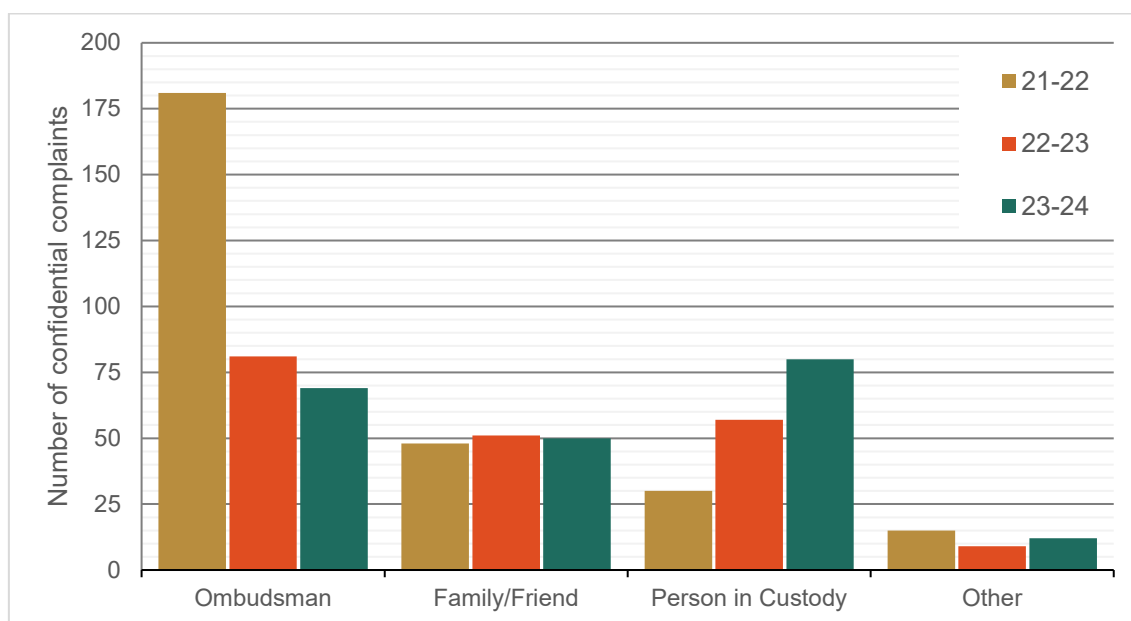
- assault by staff;
- excessive force by staff;
- bullying, harassment or discrimination by staff; and
- serious breach of rules, legislation or policy.

People in custody can make confidential complaints by placing a complaint form in a sealed envelope addressed to the Complaints Coordinator. The Complaints Coordinator registers confidential complaints, complaints/inquiries from external authorities (such as the Ombudsman) and complaints from members of the community, in a Complaints Register. Positively, to maintain confidentiality, this register can only be accessed by individuals authorised by the Director of Prisons.



The number of confidential complaints received by the TPS has decreased slightly from 274 in the 2021-22 financial year to 211 in 2023-24. Interestingly, TPS data indicates that fewer inquiries were being received from the Ombudsman and more were being lodged directly by people in custody in 2023-24 compared to 2021-22. This is illustrated in the below graph. The exact cause of these changes is not known but increased knowledge of the confidential complaints mechanism by people in custody may be a factor.

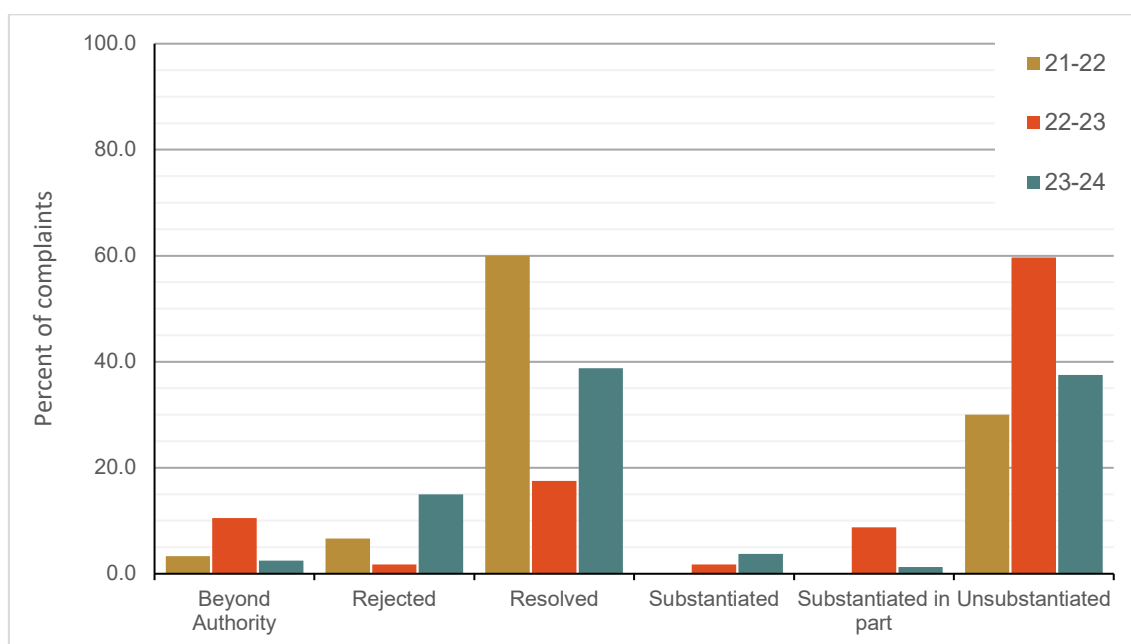
Figure 9. Number of complaints in confidential complaints register lodged by group per financial year



The majority of confidential complaints received by the TPS between July 2021 and June 2024 related to treatment/conditions in custody (27%), followed by property (10%) and visits (9%). The TPS takes more time to close confidential complaints compared to operational complaints, with the average time being 12 days, and 74% of complaints being closed within two weeks. Just over 90% of complaints are closed within four weeks, with 3.5% of complaints remaining open for more than six weeks. Despite these complaints taking longer to close than operational complaints, the majority are closed in a timely fashion.

Similarly to operational complaints, most confidential complaints were classed as resolved by the TPS. This was followed by complaints classed as unsubstantiated. If a person in custody disagrees with the TPS's findings regarding the complaint outcome they can escalate it to an external complaint body. This is an important accountability mechanism.

Figure 10. Outcome of confidential complaints made by people in custody to TPS by financial year



External complaints

People in custody can contact the Ombudsman but information in prison on how to do this is largely out of date

The Tasmanian **Ombudsman** is an independent person who can take complaints about the administrative actions of Tasmanian public authorities, including the Tasmania Prison Service. The Ombudsman is also the Custodial Inspector, the National Preventive Mechanism, the Principal Official Visitor, the Health Complaints Commissioner and conducts external reviews of decisions under the *Right to Information Act 2009*.

People in custody can contact the Ombudsman for free using the prison telephone system, Unity. The Ombudsman is the first option on the Common Auto Dial List (CADL). Calls to the Ombudsman are free and confidential, meaning they are not monitored or recorded by the TPS. People can also write to the Ombudsman confidentially and correctional officers are obliged, in accordance with s18 of the *Ombudsman Act 1978*, to take all steps necessary to facilitate the making of a complaint, including providing people with a pre-paid envelope and ensuring any correspondence remains sealed. Normally, the TPS can open and monitor correspondence, but it is specifically precluded from

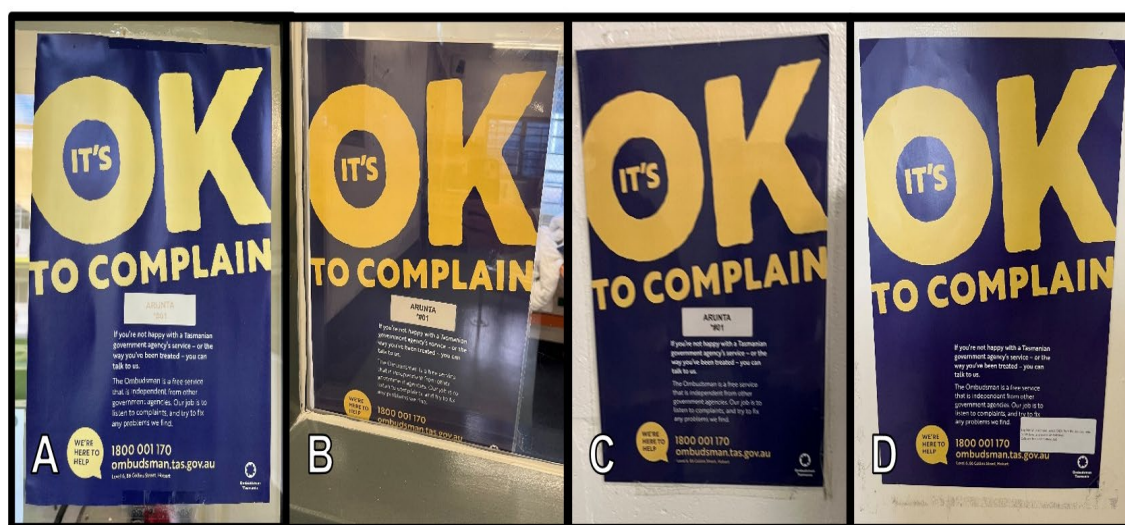


doing so for correspondence to and from the Ombudsman. Most complaints to the Ombudsman are verbal rather than written.

Information for people in custody about how to contact the Ombudsman was out of date in various induction forms that were reviewed as part of the inspection. Notably, a similar comment was made in our *Custody inspection report 2018*.²⁷ We have recommended above that the induction forms be reviewed and updated, and this information needs to be fixed in multiple induction booklets.

Ombudsman complaint posters throughout the prison had outdated information about how to call the Ombudsman. As can be seen in the photos below, numerous posters advised how people can call the Ombudsman using the Arunta phone system, but this was replaced by the Unity phone system in March 2022 and the method of calling the Ombudsman changed at that time. The TPS needs to ensure information on how to contact the Ombudsman is up to date.

Figure 11. A series of photos of posters advertising the Office of the Ombudsman. Photos A to C include information regarding the Arunta phone system. The poster in photo D includes information on calling the Ombudsman using the Unity phone system, which is currently in use.



²⁷ Custodial Inspector (2018) *Custody Inspection Report – Inspection of Adult Custodial Services*, Office of the Custodial Inspector Tasmania, p 101.

We heard on multiple occasions from people in custody that there was little point complaining to the Ombudsman. People made reference to the Ombudsman simply agreeing with the TPS or not doing anything. Complaints, nonetheless, do still occur and the Ombudsman receives more complaints about the TPS than about any other public authority.

A review of the Ombudsman's *Annual Report 2022-23* shows that 166 complaints were received regarding the Department of Justice (DoJ) for that financial year from a total of 756 complaints, and 257 for 2021-22 from a total of 907 complaints.²⁸ It is not clear from the report how many of these DoJ complaints related to the TPS, but the *Annual Report 2021-22* specifies that 221 complaints were received in that year from people in custody, and 122 in 2020-21.²⁹ The complaint figures quoted above represent the number of complaints as distinct from the number of complainants. Some people may have lodged multiple complaints.

Fifteen percent of all complaints to the Ombudsman about the TPS were partly or fully substantiated in 2021-22, which is consistent with previous years.³⁰ It is not overly surprising that some people in custody perceive complaining to the Ombudsman is of limited value if the remaining 85% of complaints are not substantiated, or they are declined, out of jurisdiction or discontinued. However, it is a figure that is commensurate with complaints about other public authorities. The number of fully or partially substantiated complaints across the Ombudsman's entire jurisdiction was 11.3% in 2021-22 and 15.7% in 2020-21. It is important to note that the role of the Ombudsman is to deal with complaints regarding the administrative actions of the TPS and other public authorities. If the decision or action being complained about is one that is within the bounds of what could be considered reasonable, it is unlikely that any further action would be taken. Often, despite a complaint not being substantiated, a complainant may nonetheless receive additional information that may better explain a decision.

Common areas of complaints to the Ombudsman were property, classification, prison or unit placement, officer misconduct and daily routine. It should be noted that complaints about officer misconduct would normally be a matter for the Integrity Commission to investigate.

²⁸ Ombudsman Tasmania (2023) *Annual Report 2022-23*, Ombudsman Tasmania, p 22.

²⁹ Ombudsman Tasmania (2022) *Annual Report 2021-22*, Ombudsman Tasmania, p.13

³⁰ Ibid.



There may be benefit in the Ombudsman conducting a complainant survey to obtain more qualitative data and measure the quality of the service provided. The Victorian Ombudsman's *2023 Annual Report* reported on the complainant surveys that it commissioned.³¹ It outlined that the purpose of these surveys was to improve services provided, the quality of its communication with complainants and to evaluate the impact of resolutions and impact made. The results specifically referenced community responses as well as prisoner responses. The Victorian Ombudsman does, however, receive significantly more complaints than Ombudsman Tasmania.

People in custody can also call the Ombudsman number in the CADL to speak to investigation officers for the Health Complaints Commissioner. The Office of the Health Complaints Commissioner deals with complaints about the provision of health services in Tasmania. This includes the service that provides health care to people in custody, Correctional Primary Health Services. We have not discussed health complaints specifically in this report as we addressed this issue in our *Adult health care inspection report 2024*.³² People in custody can also now call the Office of the Anti-discrimination Commissioner as this office was added to the CADL, as discussed in our *Adult wellbeing inspection report 2024*.³³ This office can investigate and conciliate complaints regarding discrimination.

People in custody need to be able to ring the Integrity Commission

People can complain to the Integrity Commission regarding the conduct of Tasmanian public officers, including correctional officers. Section 33 of the *Integrity Commission Act 2009* requires that a complaint is made in writing, but people in custody are not able to call the Integrity Commission if they have questions. Their only option is to write to it, which is not ideal given that many people have low or no functional literacy. The stark lessons from the Special Commission of Inquiry into Offending by Former Corrections Officer Wayne Astill at Dillwynia Correctional Centre in NSW (the Astill Inquiry) are sufficient justification for telephone access to the Integrity Commission to be prioritised.³⁴

³¹ Victorian Ombudsman (2023) *2023 Annual Report*, Victorian Ombudsman, pp 98-100.

³² Office of the Custodial Inspector (2023) *Adult health care inspection report 2023*, Office of the Custodial Inspector Tasmania, pp 207-208

³³ Office of the Custodial Inspector (2024) *Adult wellbeing inspection report 2024*, Office of the Custodial Inspector Tasmania, pp 18-19.

³⁴ McCelegan P (2024) *Special Commission of Inquiry into Offending by Former Corrections Officer Wayne Astill at Dillwynia Correctional Centre*, New South Wales Government, pp 67-68.



It reviewed the circumstances surrounding the offending of a correctional officer, Mr Astill, who was convicted of multiple offences, including aggravated sexual assault, against 14 women in custody between 2014 and 2019. Mr Astill had been a correctional officer at Dillwynia, a women's prison, for more than 19 years when he was suspended in 2019.

People need an easy and confidential means to contact the Integrity Commission if they have concerns about a public officer engaging in serious misconduct. The power imbalances in places where people are deprived of their liberty are such that great care needs to be exercised to ensure the process of inquiring about, and making, a complaint is accessible and safe.

It must be noted that most phones for people in custody are in common areas, so the ability to have a confidential conversation is very limited. Oversight agencies can arrange to attend in person to have a private interview or arrange a professional call. Even professional calls, however, do not always occur in entirely private spaces.

Recommendation 5

Tasmania Prison Service engages with the Integrity Commission with the view to adding its phone number to the Common Auto Dial List on the prison telephone system, Unity.

The identity of people contacting oversight bodies needs to be better protected

Morning count is a process where the number of people in custody is checked against prison records to ensure everybody is accounted for.

Oversight agencies can book professional calls with people in custody, but the booking of those calls may not necessarily be private. During a visit where we observed the morning count, we heard a correctional officer announce to the entire unit the names of various people who had professional calls booked for that day. One of the calls announced was a professional call for a specific individual with the Integrity Commission. It is not appropriate for this information to be announced to an entire unit and may deter other people from contacting the Integrity Commission, for fear of others knowing they have done so. This could undermine already low levels of trust in being able to make a complaint



confidentially and could raise fears of reprisal. We raised this issue with senior TPS staff and were advised that steps are being taken to improve the process of notifying people of professional calls. We will nonetheless make a recommendation to ensure that a consistent process is introduced across the various prisons, and that progress against the recommendation can be tracked.

Recommendation 6

Tasmania Prison Service introduces processes so the details of professional calls are only provided to the relevant person in custody.

Protection for Integrity Commission and other oversight agencies' correspondence could be increased

Following the inspection, the Integrity Commission notified us of a case where a person in custody informed the Commission that someone had opened the correspondence it sent them before they received it. This notification prompted us to review the confidentiality of mail to and from oversight agencies more generally.

Mail to the Integrity Commission is 'privileged mail', which means it should have been only opened by the recipient or, if it had to be opened, opened in front of the recipient. However, privileged mail can sometimes be opened accidentally and the TPS has a process for dealing with privileged mail opened in error.

DSO 4.02 *Prisoner Mail* specifies that mail between a person in custody and a range of different people, bodies and organisations is privileged mail, including:

- the Anti-discrimination Commission [sic];
- the Attorney-General;
- the Consul of the country of which the prisoner is a citizen;
- the Custodial Inspector;
- the Director of Corrective Services;
- the Department of Social Services;
- the Director of Prisons;
- the Electoral Office;
- the Integrity Commission;
- the Human Rights and Equal Opportunity Commission;



- a Member of Parliament;
- the Minister for Corrections;
- the Office of the Ombudsman;
- the Parole Board;
- a Prisoner's legal practitioner at his or her business address; and
- the Tasmania Prison Service Complaints Coordinator.

Section 29(1)(l) of the *Corrections Act 1997* specifies that correspondence to and from the Minister for Corrections and Rehabilitation, the Director of Corrective Services, the Ombudsman, the Custodial Inspector and Official Visitors is not to be opened by prison staff. The DSO reiterates that mail to and from these bodies is not to be opened. There is no specific legislative protection for the rest of the bodies listed above but the DSO does restrict the authority to open, search and examine privileged mail, except for those covered by s29(1)(l), as follows:

If an authorised officer or Correctional Officer reasonably believes an item of privileged mail contains an unauthorised article or thing, did not originate from a person or agency listed under the 'privileged mail' definition, is a threat to prison security or is of a threatening or harassing nature, the authorised officer / Correctional Officer must forward the letter unopened to a Superintendent or the Directorate Security Unit. Only Superintendents and Correctional Officers (of any rank) assigned to Directorate Security Unit are authorised to open, search and / or examine privileged mail.

Where the Superintendent / Correctional Supervisor, Directorate Security Unit reasonably believes it is necessary to open the privileged mail, he or she may open, search and / or examine the mail to verify its origin, assess the contents and / or remove any unauthorised articles or things in accordance with Section 14. This must be done in front of the prisoner and an Incident Report must be generated.

While there are a range of checks in place prior to opening privileged mail, it seems to be a significant oversight that people in custody do not have the right to correspond confidentially with the Integrity Commission. Similarly, there is no legislative requirement for confidentiality of correspondence to and from the Anti-Discrimination Commissioner, who may receive complaints about discrimination by TPS staff. Nor are there protections for communication with



the Office of the Independent Regulator, which may receive notifications about child sexual abuse (young children can be housed with their mother in prison, if approved, and young people can be held in prison, including in watch-houses).

The Astill Inquiry demonstrated the importance of privacy and confidentiality for people in custody when making complaints about staff conduct.³⁵ If this cannot be assured, people will be deterred from making complaints and improper conduct may go unchecked. The significant power imbalance in places of deprivation of liberty needs to be countered with strong measures to instil confidence in complaints processes.

Having inconsistent confidentiality requirements for oversight bodies also creates confusion for staff about what is and isn't confidential. Consistency is critical, and all communication with oversight and complaint bodies must be confidential. Steps need to be taken to better ensure the privacy of correspondence. The protection should be enshrined in the *Corrections Act 1997* or the oversight agencies' relevant legislation.

Recommendation 7

The Tasmanian Parliament legislate to require that correspondence between people in custody and complaint and oversight bodies such as the Integrity Commission, the Anti-Discrimination Commissioner and the Independent Regulator is only opened by the intended recipient.

Complaints from people in custody about improper conduct could constitute a public interest disclosure

The *Public Interest Disclosures Act 2002* provides protections for people reporting serious or significant improper conduct by Tasmanian public officers or public bodies. The protections from reprisal are primarily available to public officers or contractors reporting improper conduct. The DoJ has public interest disclosure procedures to provide guidance about how disclosures should be handled. These procedures are publicly available on the DoJ website.³⁶

³⁵ McCeಲ್ಲan P (2024) *Special Commission of Inquiry into Offending by Former Corrections Officer Wayne Astill at Dillwynia Correctional Centre*, New South Wales Government, p 324.

³⁶ Department of Justice (2024) *Public Interest Disclosure Procedures*, Department of Justice website, accessed 20 May 2025.



If it is in the public interest, a complaint to the Ombudsman or Integrity Commission from a member of the public about a public body can be deemed a protected disclosure. Only the Ombudsman or the Integrity Commission can decide if it is in the public interest to do so, as well as to decide if a member of the public is to be treated as if they were a contractor, who are only able to make disclosures about public bodies. It is a rarely considered provision, in part because it would only apply to the most serious complaints, but it is important that people in custody are aware they can seek to make a protected disclosure about alleged improper conduct by a public body, preferably after exhausting other options. People in custody are more susceptible than most members of the public to reprisal action from public officers or public bodies for making a complaint, and so the public interest test is more likely to be satisfied.

People in custody can now contact Tasmania Police directly

In the past, for someone in custody to speak with police they had to request assistance from TPS staff. That has changed with Tasmania Police being added to the CADL so people in custody can call for free from their phone accounts, without disclosing this to TPS staff. This is an important safeguard for people in custody who may wish to report a crime directly to police.

Official Visitors are an effective informal complaints mechanism

Official Visitors are community members appointed by the Minister for Corrections to take complaints from people in custody and monitor conditions of detention. Their role and functions are outlined in s10 of the *Corrections Act 1997*. Official Visitors have unrestricted and unescorted access to Tasmanian prisons. The Ombudsman is also the Coordinator of the Official Visitor Scheme.

Following the inspection, we met with the Prison Official Visitors to discuss standard 50 regarding Official Visitors, included in Appendix 1. Our meeting occurred after one of their quarterly meetings with the Director of Prisons. The Visitors spoke highly of this regular opportunity to raise issues and concerns directly with senior management of the TPS.

During our meeting we discussed that the number of available Visitors, as well as illness, had meant that visits to some prisons were not occurring as regularly as they would have liked. Later, a recruitment process for new Official Visitors was much more successful than previously had been the case, following media coverage highlighting the vacancies, and these issues have been rectified.



Some time after the inspection we joined an Official Visitor on a visit. People in custody could discuss their concerns with the Visitor and were able to obtain timely responses to the issues raised. Staff were familiar with the Visitor's role and helped facilitate the visit, including staying at a distance to ensure discussions with people in custody were private.

Official Visitors cannot take complaints from people who are detained in the prison watch-houses at Hobart and Launceston Reception Prisons and in the custody of Tasmania Police. Prison watch-houses are used primarily to detain people who are under arrest but have not appeared before a court and been remanded into custody. This legislative restriction on Official Visitor's jurisdiction arises from the definitions of 'prisoner' and 'detainee' in the *Corrections Act 1997*. Whilst people in police custody in prison watch-houses can make a complaint to the Ombudsman and an Official Visitor could assist in facilitating this, it is an area where Parliament may wish to consider if the jurisdiction of Official Visitors should be expanded to include people in police custody in prison watch-houses.

Official Visitors could offer value in monitoring disciplinary hearings

Section 10(6) of the *Corrections Act 1997* refers to Official Visitors being able to report to the Director of Corrective Services or the Minister on a range of matters, including the state of the prison and any matter relating to the treatment or condition of people in custody. It also specifically mentions reporting on the management or disciplining of a person in custody.

Complaints about the disciplinary process are sometimes made after the event, but it would be valuable from a monitoring perspective for Official Visitors to occasionally observe disciplinary hearings to see how they are managed. This could be done through random drop-in appearances at hearings to ensure they are being undertaken in a fair and reasonable manner. Our Principal Inspection Officer visited a prison in England with the United Kingdom National Preventive Mechanism and Independent Monitoring Board.³⁷ Observing disciplinary hearings is a common practice for these community visitors and helps to ensure the process, which is often devoid of direct oversight, is actively monitored. The New South Wales Ombudsman's Investigation into inmate discipline in NSW

³⁷ More information about the Independent Monitoring Board can be found at <https://imb.org.uk/>. The Independent Monitoring Board mandate is similar in many respects to Official Visitors.



Correctional Centres demonstrated some of the systemic risks that can be present in correctional disciplinary proceedings.³⁸

Official Visitors are specifically precluded from directly interfering in the disciplinary process,³⁹ but it would provide a more active source of quality assurance around this process to the Minister and the Director, especially given many people in custody may not complain. This can be for a variety of reasons, including fear of reprisal, or not seeing any benefit from it. It is important that conditions for all people are actively monitored, not only those who complain, and that the Official Visitors' mandate is not limited to simply receiving complaints.

There are no Aboriginal Official Visitors

There would be significant value in having a member or members of the Aboriginal community conduct visits as part of the Official Visitors program, given the overrepresentation of Aboriginal people in custody. To date, no expressions of interest have been received from a member of the Aboriginal community in response to recruitment notices. Future recruitment will benefit from actively encouraging Aboriginal identifiers to apply, and formal communication to Aboriginal Controlled Organisations about Official Visitor recruitment should be considered.

The Royal Commission into Aboriginal Deaths in Custody highlighted some of the benefits of Official Visitor Schemes, particularly Aboriginal Visitor Schemes.⁴⁰ Whilst a specific Aboriginal Visitor Scheme may not be practicable or possible in Tasmania given our smaller population, actively seeking to recruit Aboriginal Official Visitors during future recruitment drives would be valuable, as it would likely better improve engagement with a large cohort of the prison population who identify as Aboriginal.

³⁸ NSW Ombudsman (2024) [Investigation into inmate discipline in NSW correctional centres](#), NSW Ombudsman.

³⁹ See s10(5) of the [Corrections Act 1997](#).

⁴⁰ Royal Commission into Aboriginal Deaths in Custody (1991) [National Report - Volume 3](#), Royal Commission into Aboriginal Deaths in Custody, pp 319-322.



Legal resources

The Tasmania Prison Service (TPS) has a detailed policy relating to legal resources, Director's Standing Order (DSO) *4.16 Access to Legal Resources*, implemented in 2022. This covers access to:

- legal representation;
- courts;
- legal documents; and
- legal publications, including legislation.

Since the inspection, we have been making inquiries about access to legal advice through the prison telephone system. Systems are in place for people in custody to request access to legal representation when they come into custody. This can be done with the assistance of correctional officers, writing to a lawyer or by asking to have a lawyer's phone number added to their prison phone account (which requires the lawyer's consent). All of these methods are indirect and, because of their reliance on others, remove an element of agency from people in custody. We have heard, for example, complaints about delays in requests for lawyers being actioned. There is no ability for people in custody to initiate their own calls to seek legal advice or representation.

Reviewing multiple Common Auto Dial Lists (CADLs) for people in custody in prisons interstate showed Legal Aid Commissions, Aboriginal legal services and women's legal services consistently listed. This meant people could call these services for free as soon as they had their prison phone account established. We contacted a range of legal services in Tasmania and there was a willingness to explore similar access here. Positively, the TPS is working with these services, and we look forward to seeing improved telephone access to legal services in future inspections.



There is a range of legal textbooks but access can be problematic

Access to legal resources in prison is important, as some people in custody may represent themselves in civil and criminal proceedings. We previously recommended in our *2018 Custody Report* that the TPS explore options, and implement measures, to ensure all prisoners have access to a regularly updated library of law resources. There have been improvements in this regard, but more work is needed.

The Southern Remand Centre (SRC) has a range of legal textbooks, which are managed and updated by the Tasmania Law Library. This is an excellent partnership as Tasmania Law Library staff have an expert understanding in this field. These books are not part of the broader prison library system.

The location of the textbooks in SRC is not ideal. When we saw the texts during our inspection, they were loosely piled on a bookcase behind a solid cupboard door in a multi-purpose room in SRC. They could be more prominently located.

Figure 12. Location of legal resources in the Southern Remand Centre.

Texts are located on a bookcase behind the cupboard door (pictured) in a multi-purpose room.

Inset: sign on door advising people in custody not to remove legal texts from the multi-purpose room.



The Tasmania Law Library provides ten legal textbooks to the TPS, but during a visit only six were available on the SRC bookcase (refer to photo at Figure 13). We questioned this following the visit and the books were reviewed. Positively, by the time of a subsequent visit, the number of books had increased. There is no system to allow for people in custody to borrow the books, and we heard reports of people taking books back to their cell and them being lost. During a recent visit there were signs saying that the books are not to be removed from the multi-purpose room. It is not unreasonable that books are taken back to cells, given the lockdowns that have consistently been occurring, limiting access to the multi-purpose room. However, some sort of basic record-keeping system managed by the TPS may be worth implementing to keep track of the books in case others need to use them.

Figure 13. Photos of legal resources available in the Southern Remand Centre at two points in time.

A) photo of the legal resources available in the Southern Remand Centre at the time of inspection. There were six legal texts available and several paper forms.

B) photo of legal resources available in the Southern Remand Centre in February 2025, there were 9 legal texts available.



We also heard from staff and people in custody that access to the multi-purpose room is problematic, even when lockdowns do not occur. The room is not open for easy access – people have to request for it to be unlocked. Ease of access to the room and the resources could be improved.

Whilst these textbooks are helpful, they are not accessible outside the SRC. People in the SRC are not the only people that require access to legal resources. The rest of the prison population can borrow books from the Ron Barwick Prison (RBP) Library. DSO 4.16 lists at least seven legal texts that should be available to borrow. Prisoner Education and Training is expected to maintain, in conjunction with the Tasmania Law Library and Libraries Tasmania, a standard set of legal publications available for loan. We could find no evidence of these texts in the RBP Library. The Tasmania Law Library also advised that it had only been asked to provide assistance with the SRC collection.

Books from the broader Libraries Tasmania collection can be borrowed, but these exclude reference titles, which would include a number of legal texts. Accessing books from the broader Libraries Tasmania collection can also take some time and access to legal textbooks may sometimes be time sensitive.

Steps should be taken to ensure that there is a comprehensive set of legal texts available in the RBP Library commensurate with the SRC, and a list of the legal textbooks held is readily available throughout the prison so people know what they can request. This could also include providing a list of legal textbooks available to borrow on the common network drive that people in custody can access if they can use a computer.

Improving access for people outside of the SRC to appropriate legal resources is important. Failure to do so would be particularly unfair to women in custody, given they never have access to the SRC and its legal texts.

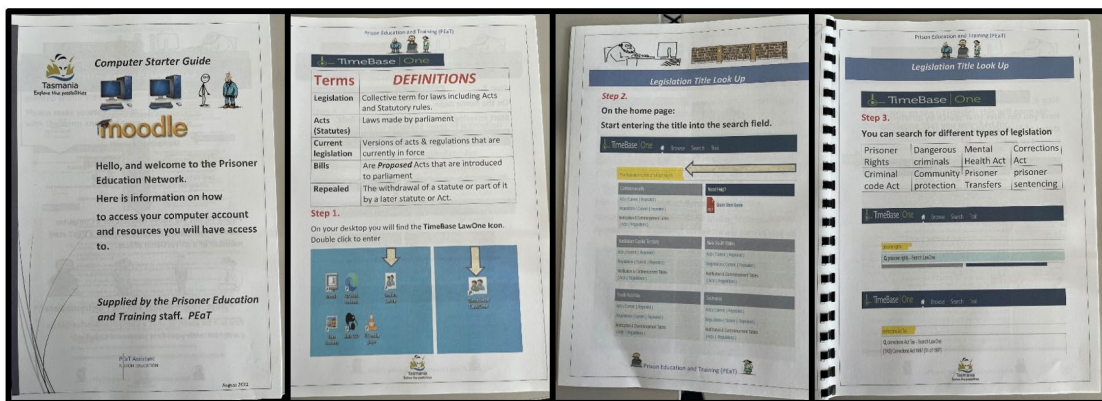
Recommendation 8

Tasmania Prison Service consults with the Tasmania Law Library and takes action to ensure that the legal textbooks available to people in custody outside the Southern Remand Centre are in accordance with its Director's Standing Order 4.16 *Access to Legal Resources*. Steps should include ensuring the texts are appropriate to meet the legal needs of people in custody, the existence of the textbooks is well-known, and they are easily accessible to borrow.



All people who have access to a computer in custody can access an offline database, TimeBase, that contains regularly updated legislation. Access to computers in medium security and minimum security is generally good. There are a number of computers in the SRC, but access is restricted when there are lockdowns. People in maximum security have very limited access to computers, so there would be a much greater reliance on printed resources. DSO 4.16 does provide that a person in custody can request copies of legislation, legal publications and case law not available in the TPS facilities or through the prison library, using a request form.

Figure 14. Photos of some of the pages from the manual available to people in custody, which includes instructions to access legislation.



People in custody also have access, through a common network drive on the prison computers, to a range of other legal resources, including videos about going to court, a legal handbook from a community legal service and Legal Aid factsheets. Currency of this information does need to be occasionally reviewed. Electronic copies of Custodial Inspector reports are also available on this network drive.

Figure 15. Computers available to people in custody in the Southern Remand Centre multi-purpose room. Orange arrows point to copies of instruction manuals to use the prison computers as described above.



Conclusion

We observed at our inspection, and during subsequent monitoring, a range of positives in relation to the induction of people into custody. However, continuous improvement is always possible, and we highlight changes that can be made in a number of areas to improve the process.

We examined the complaints process in detail given its importance in a custodial environment. The internal process has improved since our last inspection, and we have highlighted a number of changes that could be made in relation to the external complaints process.

The main issue of concern from this inspection was people who are released from prison in Hobart late in the day with no, or limited, means to get home. We encourage the Tasmania Prison Service and the Parliament to proactively address this issue to ensure people are not being set up to fail when they are freed from custody.



Custody: reception to release
inspection report

Appendix 1: Inspection standards



**Office of the
Custodial Inspector**
Tasmania

Custody

The Inspection Standards for Adult Custodial Centres in Tasmania can be viewed in their entirety on the Office of the Custodial Inspector website.⁴¹ The following standards were considered during this inspection.⁴²

Reception and admission

- 1 The admission and reception of any prisoner must trigger the gathering of all relevant previous information and the generation of new information necessary to effectively manage the individual needs and risks of each prisoner.**
 - 1.1 Each prison that receives and admits a prisoner should have access to all relevant risk, assessment, and management information on that person, to ensure that staff can make informed and appropriate arrangements for the management of the prisoner.
 - 1.2 Prisons are to ensure that all information relating to an individual prisoner is treated with strict regard to proper confidentiality.
 - 1.3 A process should be initiated for checking to see if there are any outstanding fines.
- 2 The reception and admission of each prisoner should be designed to ease their adjustment to the prison, treating them with decency, and ensuring their individual safety and wellbeing.**
 - 2.1 The reception and admission process should not be degrading to prisoners who should be treated with decency and respect.
 - 2.2 Each prisoner's privacy should be safeguarded during the admission and reception process, particularly with regard to any information likely to be of a confidential nature.
 - 2.3 Each prisoner's experience of being received into a prison should be (to the best extent) positive and such that it reduces the anxiety of admission.

⁴¹ www.custodialinspector.tas.gov.au

⁴² Office of the Custodial Inspector (2018) *Inspection Standards for Adult Custodial Centres in Tasmania*, Office of the Custodial Inspector Tasmania, pp 1-15; 37-39.



- 2.4 Reception and admission staff should be trained to deal with newly received prisoners who may be anxious, distressed or uncooperative. There should be entry-level training for reception and admission processes and shift handover arrangements in reception facilities.
- 2.5 The vulnerability of prisoners must be ascertained and appropriately safeguarded. This is particularly important for the first days in prison but should also involve an assessment of the longer-term safety and wellbeing through subsequent classification review.
- 2.6 The formal reception process must provide timely key information to prisoners that enables them to understand the immediate rights and obligations under legislation and prison rules.
- 2.7 If a prisoner is illiterate, information should be conveyed orally. If a prisoner does not speak English, an interpreter should be used.
- 2.8 Prisoners should be advised about when they will receive an orientation to the prison.
- 2.9 Prisoners should receive a structured and comprehensive induction to the prison and its services.
- 2.10 Newly admitted prisoners, especially young prisoners (other than prisoners transferred into minimum-security from another prison) should be accommodated separately from the general population during the admission and orientation process.

3 All prisoners should undergo an initial health and psychological assessment in order to identify and provide appropriate intervention for any pressing medical (including drug, alcohol or mental health) concerns. Of particular concern must be the detection of any self-harm or suicidal ideation.

- 3.1 Health screening should be undertaken by an appropriately qualified health professional.
- 3.2 Prisoners should be treated with respect and their privacy safeguarded during the health assessment process.
- 3.3 All prisoners with any indication of possible identified mental illness should be referred to a mental health professional for assessment, referral, and recommendations for suitable placement.



- 3.4 Where the health professional conducting the assessment forms an opinion that the prisoner's life or well-being are at risk, that opinion must be communicated to the appropriate staff as soon as possible. Prisoners identified as at risk of self-harm or suicide on reception are to be housed in a safe environment and reviewed daily or as determined necessary following clinical assessment. Prisoners should be treated with respect and their privacy safeguarded during the health assessment process. Prisoners have a responsibility to disclose known health issues.
- 3.5 For prisoners who speak poor English an interpreter should be used to ensure a full understanding and exchange of information by both the prisoner and the health professional.
- 3.6 Prisoners should be made aware of any illness or medical condition detected during the screening process and/or any pre-existing medical condition.
- 3.7 If health screening is not possible immediately, then appropriate management action must be taken to ensure the safety of the prisoner until the prisoner's health status/vulnerability is known.
- 3.8 The prisoner should be given information on how to make an appointment for medical treatment or assessment/diagnosis in the future.

4 All prisoners newly admitted to prison should be given the opportunity to make arrangements to resolve any family matters and issues relating to property or business operations. Where necessary, prisoners should have immediate access to services to facilitate such arrangements.

- 4.1 All prisoners should be offered the opportunity to inform their families of their imprisonment as soon as practicable after their admission to a prison.
- 4.2 For prisoners from remote communities special regard should be given to any difficulty contacting family.
- 4.3 For prisoners who do not normally reside in Australia, a third party, such as a consular authority may be used to inform their family.
- 4.4 Prisoners should be provided with appropriate opportunities to make arrangements for the welfare of their children, next of kin or other dependents as soon as practicable after admission.



Remand prisoners

5 The regime for unconvicted prisoners should reflect the fact that they have been charged, but not convicted of a criminal offence.

- 5.1 Remand or unconvicted prisoners are, as far as possible, to be kept separate from those who have been convicted.
- 5.2 Remand prisoners are presumed to be innocent, and are not to be 'required' to work or undertake programs addressing their offending. However, work, education, and programs should be made available.
- 5.3 Remand prisoners should be allowed to undertake reasonable activity to maintain external interests such as accommodation or employment.

6 Remand prisoners should be held in readiness for their next court appearance and assisted to prepare for that appearance.

- 6.1 Remand prisoners (and prisoners who have appealed) must be given adequate access to facilities for the preparation of a defence, and be assisted to communicate with a legal counsel of their own choosing.
- 6.2 Remand prisoners and their legal representatives should be able to have unmonitored telephone conversations and meetings beyond the hearing of staff, as frequently as necessary.
- 6.3 Prisoners should be able to access current legal library resources.
- 6.4 Remand prisoners should be able to wear their own clothing when appearing in court, and should be provided with the means to launder such clothing.
- 6.5 Arrangements should be in place to ensure that prisoners attending court are provided with meals at normal times, or if this is not possible a meal before they attend court, and on their return at the end of the day.
- 6.6 Prisons should facilitate video court appearances, where practicable and where to do so does not prejudice justice.

7 Remanded prisoners who have bail conditions should be assisted to meet those conditions and be released from custody, as soon as practicable.

- 7.1 Any bail conditions that are attached to the remand custody order should be actively and regularly reviewed to ensure that unconvicted prisoners are not held in prison unless it is absolutely necessary.



- 7.2 Any prisoner that is released to bail from court should have their identification, cash and property returned immediately. Prisoners should never be placed in the position of being released at the end of a day at court without access to accommodation and some money for food.

8 Prisoners remanded in custody should be expected to have a high need for welfare services as a consequence of their transition into custody.

- 8.1 Remand prisoners should be permitted to receive a minimum of one visit per day and as many further visits as may be practicable.
- 8.2 Remand prisoners should be given opportunities to resolve any urgent outstanding matters arising from their transition to prison such as: advising family, making arrangements for dependents, pets or urgent property matters.
- 8.3 Remand prisoners should be immediately asked if this is their first time in custody and offered information about the induction program and how they can obtain further information about their case.
- 8.4 Special first night and first (few) days' regimes should be in place to ensure remand prisoners' safety and wellbeing.

9 The management and treatment of remand prisoners should acknowledge and minimise the particular stresses and uncertainties that confront remand prisoners, and these factors should be borne in mind by staff responsible for their management.

- 9.1 Remand prisoners should be managed as a separate group from sentenced prisoners, unless they indicate in writing that they have no objection to being accommodated with sentenced prisoners. They should have as little contact with sentenced prisoners as possible.
- 9.2 Where sentenced prisoners are placed among remand prisoners (for example to undertake certain skilled work) they must be regularly assessed to ensure that bullying is not occurring.
- 9.3 Remand prisoners' conditions of imprisonment should not be less than is provided for sentenced prisoners. This includes entitlements to access general health and welfare services, work, education, recreational activities, religious observance, and other relevant activities and services.



- 9.4 Remand prisoners should have security assessments completed wherever practicable, in order to facilitate their management at the lowest level of security consistent with the protection of staff and the community, and the requirements of justice.
- 9.5 Remand prisoners should be offered opportunities for addressing drug and alcohol issues and, where appropriate, cognitive skills development programs.
- 9.6 Remand prisoners should be case managed and the conditions of their continued custody the subject of regular review.

Prisoner classification

- 10 The prison's system must have in place an accurate and transparent classification system that enables prisoners to be individually assessed and placed into the lowest security classification level commensurate with safety.**
 - 10.1 Prisoners should be managed within a system that provides for graduated levels of restriction and security according to the risks posed by the prisoner and, as far as practicable, the location of the community of interest of the prisoner.
 - 10.2 The security classification system for prisoners should be based upon an objective assessment of dangerousness, threat to order and security, risk of escape, criminogenic and other program needs and preparation for release. This system may include advice from other State and Commonwealth agencies.
 - 10.3 Prisoners should be made aware of the classification system and criteria in a way they can understand. This should also include the consequences of escape or attempted escape and the details of the process for appeal against a classification decision.
 - 10.4 All risk assessment instruments should be regularly reviewed to ensure that the risk assessment process remains relevant and appropriate, and that it is not discriminating against particular groups of prisoners.
 - 10.5 The classification system should take account of the generally lower risks posed by women.



- 10.6 The classification system should take account of past behaviour (both good and bad) and provide for a graduated scale of restrictions or rewards. Restrictions and negative changes to classification should take into account the circumstances and seriousness of the breach.
- 10.7 A prisoner's classification should be reviewed as part of a wider case management review at least every six months or annually. However, for longer-term prisoners at the beginning of their sentence this period may be extended to 12 months. Prisoners should have input into such reviews.
- 10.8 Young, first time offending, short-term prisoners should be accommodated separately from “mainstream” prisoners to avoid criminalisation.
- 10.9 Unless there are specific unacceptable risks, each prisoner should be classified minimum-security and placed at a minimum-security prison, work camp or pre-release centre prior to release.

11 The segregation and protective custody of prisoners must only be undertaken strictly in accordance with legislative provisions.

- 11.1 Segregation and protective custody directions must be writing.
- 11.2 Prisoners segregated or subjected to a protective custody direction are to be informed both verbally and in writing of the reason for their segregation. As soon as practicable after the directions are given, the prisoner must be advised of their rights to a review of the direction.
- 11.3 Segregation and protected custody may only be used as an interim measure and should never be used for an extended period or as a punishment.
- 11.4 Prisoners should be given reasons for any classification decision.
- 11.5 Prisoners in segregated or protective custody should never be denied access to medical attention or any existing schedule of medication.
- 11.6 Classification and placement regimes should not impede prisoner access to legal representatives.
- 11.7 Prisoners in administrative segregation should be visited daily by a member of the prison management team.



12 Prior to allocating prisoners to share a cell, a formal risk assessment must be completed, which includes consultation with the prisoners concerned.

12.1 Multiple occupancy accommodation should only be provided for prisoners with appropriate risk and need profiles and who have agreed to such placements. [Also see standard 19.7].

13 Prisoners should be held at a prison as close as possible to their family and their community of interest.

13.1 There should be sufficient prison infrastructure in each region to accommodate the prisoners of the region, providing for different levels of security in proportion to the risk profile of the regional prisoner population.

13.2 Prison infrastructure should meet state-wide requirements for specialist custodial purposes such as for specialist forensic mental health services.

13.3 If prisoners are placed at prisons outside their home region it should be for the minimum time necessary.

13.4 Foreign national prisoners should be placed at prisons that best provide the non-standard services necessary for their humane treatment, for example translators, or access to relevant consular services.

13.5 The management and placement of female prisoners should reflect their generally lower security needs but their higher needs for health and welfare services, and for contact with their children.

Sentence administration and release arrangements

14 Prisons must ensure that prison sentences are fully enforced and that prisoners are released at the earliest time, consistent with the law.

14.1 Prisons must have effective processes to ensure there is a legal order for each prisoner that is admitted to the prison and that the prisoner is released on the correct day.

14.2 Prisoners must never be held beyond the date of their release. The only exception to this is where a prisoner has requested in writing to remain in the prison overnight to make travel arrangements.



- 14.3 When prisoners are released, prisons are to provide a safe and effective means of getting home. For foreign national prisoners facing deportation or removal, this obligation is passed to the Commonwealth Government.
 - 14.4 In the case of prisoners (including Aboriginal and Torres Strait Islander prisoners) from remote communities that are not serviced by public transport, individualised arrangements must be made to ensure that the prisoner is not stranded without any means of getting home.
 - 14.5 The release date, including any parole consideration date, for each prisoner must be accurately calculated and communicated to the prisoner. These dates should be confirmed to the prisoner at their regular case conference. Prisoners should be able to verify the accuracy of the sentence calculation.
 - 14.6 Prisons should have in place procedures for prisoners about to be released to check their property and accounts before release and, where appropriate, submit a written complaint. Procedures should also ensure pre-release interviews and briefings, where appropriate, on parole, bond, or bail conditions.
- 15 Remand prisoners must be informed of the details of their remand imprisonment and the dates of forthcoming court appearances, when these become known.**
- 15.1 Prisoners should be advised/have confirmed the reason and length of their custody and when they will be informed regarding their next court appearance.

Induction

- 16 Prisons should conduct formal induction programs which provide all prisoners with an orientation to the prison, its operations and services to allow the prisoner to make informed choices within the discretion allowed to prisoners.**
- 16.1 Induction processes should provide information in a manner that is readily understood by each prisoner. This may require using interpreters, oral, written and visual media, and a walk around the prison.
 - 16.2 The induction process should commence within a day of the prisoner being admitted to the prison.



- 16.3 Induction should include details of the physical layout of the prison and the structure of any incentive schemes. It should provide information regarding the activities, employment, training, education, programs and arrangements for family visits and the use of telephones. It should provide information regarding supports for prisoner families. It should also include information on how referral and requests for services and information occur in the prison.
- 16.4 Induction processes should include information on the right of prisoners to communicate confidentially with the Office of the Custodial Inspector, Official Visitors, the Ombudsman and the Health Complaints Commissioner.
- 16.5 Notices and schedules of events and activities should be prominently displayed in prisoner areas such as accommodation units, to provide updated orientation information.
- 16.6 Codes of conduct for prisoners should be explained and made clear during induction. [Also see standards 31.1-31.2].

Complaints and grievances

48 Prisoners must have an opportunity to make requests, lodge complaints and where these are not satisfactorily resolved in a timely manner, be able to take matters to an independent competent authority without being victimised.

- 48.1 An objective of good prison management should be, as far as possible, to prevent serious complaints arising in the first place. This is best achieved through adhering to a set of fair and clear procedures that govern all aspects of prison life and which are consistently applied.
- 48.2 These procedures should include a description of how prisoners are able make requests and complaints, and how to take a complaint that is not (in their view) satisfactorily resolved by the prison to an independent competent authority.
- 48.3 The prison should ensure accurate records are kept of complaints or grievances and response times for remedy.
- 48.4 Each prison should establish a staff-prisoner forum at which prisoners can draw attention to issues of concern before they become the source of complaints.



- 48.5 As some complaints will concern staff, it is essential that prisoners be assured that they will not be victimised or disadvantaged in making complaints locally or by seeking remedy through an independent competent authority.
- 48.6 There should also be a simple but confidential process (such as by free mail or free telephone) whereby prisoners may make a complaint or representation to an external competent authority that has a mandate to respond to such complaints or representations. These authorities should include the Ombudsman and the Health Complaints Commissioner. [Also see standard 50 relating to official visitors].

49 Many non-literate prisoners avoid situations and processes where there is a chance that their illiteracy might be exposed. Consequently, complaints processes must not be solely dependent upon written forms.

- 49.1 Prisons must have grievance processes that are user-friendly to prisoners with low-levels of literacy, or for prisoners with a disability that impacts on their ability to make a complaint.

50 There should be regular visits by officially appointed independent visitors (Official Visitors) who should be accessible to all prisoners.

- 50.0 Official Visitors should regularly visit prisons (at least monthly).
- 50.2 Official Visitors should have access to prisoners and staff to listen in confidence to issues and complaints that are raised.
- 50.3 Any prisoner can request a meeting with an Official Visitor when they are visiting a prison or request a meeting with an Official Visitor on the next visit.
- 50.4 Official Visitors should report their findings back to superintendents or appropriate higher authorities (subject to observing any confidences) including the Inspector, for action where necessary.
- 50.5 Senior prison staff or the Director's delegate are to receive and log any issues reported to them by an Official Visitor for action where necessary.
- 50.6 The purpose of visits by Ministerial-appointed Official Visitors should be understood by staff and prisoners and established protocols followed.



Legal resources

51 All prisoners who are involved in civil or criminal legal proceedings should be afforded access to legal resources to assist them prepare their case.

51.1 Prisoners that have legal matters pending should be able to have confidential meetings and telephone conversations with their lawyers, consistent with security requirements.

51.2 Prisoners should have access to a library of law resources at all times during the normal prison day. Such resources should be regularly updated.



Custody: reception to release
inspection report

Appendix 2: Progress made towards past recommendations



**Office of the
Custodial Inspector**
Tasmania



Progress made towards past custody recommendations

Prior to the inspection, we requested the Tasmania Prison Service (TPS) provide an update of progress made towards recommendations made in our *2018 Custody inspection report*. The TPS's update, our analysis and our assessment of the status of these recommendations are listed below. The *2018 Custody inspection report* contains all recommendations made from that inspection and the TPS's initial response. The report is available on our website.⁴³

Recommendation	1. Implements measures to improve performance and accuracy in record keeping, particularly in relation to the maintenance of registers, including educating staff and introducing procedures to ensure quality assurance of documentation.
TPS update	Quality compliance check processes imbedded to ensure the regular review and assurance of registers and documents. Record keeping processes will be further enhanced through the Justice Connect Project.
Our analysis	It is positive that quality compliance processes have been embedded by the TPS to improve record-keeping. On reviewing the TPS registers and records in the course of our work we have noted some missing data, which may continue to be the result of the factors we noted in our 2018 Report, such as high work pressures and insufficient time for record-keeping. We recognise that continual improvement is an ongoing process and look forward to the implementation of the Justice Connect Project. ⁴⁴
Status	Complete

⁴³ www.custodialinspector.tas.gov.au/inspection_reports

⁴⁴ The Justice Connect Program is implementing the digital system Astria, which will be used by the Tasmanian justice system. <https://www.astria.tas.gov.au>



Reception and admission

Recommendation	2. Takes steps to address the physical environment in which prisoners are admitted in both reception prisons to ensure prisoner confidentiality is maintained.
TPS update	Completed, however ongoing improvements are being made. Modifications and upgrades to the reception prisons admission areas have now been completed. In addition, signage is being developed to remind staff of the importance of confidentiality for prisoners in what is a busy and noisy environment. Works are currently taking place in the Launceston Reception Prison (LRP) and further improvements to the environment will be in place through the Northern Correctional Facility.
Our analysis	This update was received from the TPS prior to the announcement that the Northern Correctional Facility would not be built. However, the upgrades to the admissions areas are positive, especially in the LRP. Additionally, people in custody did not raise concerns with us in this inspection related to confidentiality. This recommendation is considered to be complete.
Status	Complete

Recommendation	3. Implements a procedure to ensure that prisoners' personal clothing items that are worn on admission to a facility are cleaned before being placed into the prisoner's property box.
TPS update	Corrective action on this recommendation has occurred at both reception prisons. All new prisoner clothing is laundered and placed in property boxes.
Our analysis	During this inspection we did not hear any complaints regarding unwashed clothing items.
Status	Complete



Remand Prisoners

Recommendation	4. Explores options to allow, to the extent that it is practicable, daily visits for remand prisoners.
TPS update	Completed at the time, however ongoing adjustments are being made. Visiting schedule was established in the Southern Remand Centre (SRC). Increased options of virtual visits in addition to contact visits available in the facility. Visiting schedule will be reviewed regularly and visit opportunities increased where able. Visit options in the LRP are about to be increased, including with weekend visits, through the addition of extra staff and new rosters which are due to commence in the New Year 2023.
Our analysis	The SRC now has a visiting schedule that includes contact and virtual visits. Increased access to virtual visits is a positive improvement, especially for people in custody who have family or friends who are not able to easily attend onsite visits. However, we have heard from multiple people that there are several issues with virtual visits including difficulty hearing when several people are having visits at the same time, not feeling the same level of social connection and difficulty engaging with young children. Therefore, while this is an important option to provide to people in custody, it is essential that the TPS does not come to rely too heavily on virtual visits. We have marked this recommendation complete and will look at the issue of visits further when we look at our expectations relating to contact with the outside world.
Status	Complete



Recommendation	5. Introduces a broader range of short courses and explores options for longer courses that can be broken down into stand-alone short units for remand prisoners.
TPS update	Education proposal for the opening of the SRC is being developed by TasTAFE.
Our analysis	At the time of the publication, there were very limited short courses available to people in custody in the SRC. Some people in custody who have not been sentenced are able to access courses if they are relocated to Ron Barwick Prison (RBP), however they need to have a minimum-security classification in order to do this. It should be noted that these courses are delivered alongside people who have been sentenced.
Status	In progress

Recommendation	6. Provides clear information to released prisoners regarding the options for collection of money held by TPS on their behalf.
TPS update	Information relating to the implemented process of providing monies via bank accounts is explained to prisoners during the Tier 1 process and has been included in the <i>Insider</i> magazine. ⁴⁵
Our analysis	The ability to deposit money held by the TPS directly into the bank accounts of newly released people is a positive step and is certainly an improvement on physically collecting cheques from the prison. This recommendation is complete; however, we have heard anecdotes regarding people in custody having difficulty opening bank accounts prior to release. This makes accessing their money in a timely fashion upon release difficult and may hinder reintegration efforts. We will consider this more closely in a future inspection looking at reintegration.
Status	Complete

⁴⁵ This is a weekly newsletter for people in custody produced by people in custody.



Recommendation	7. Implements measures, and assigns resources, to ensure all prisoners, including those on remand, are case managed and assigned a planning officer.
TPS update	This recommendation will be addressed as part of an internal review of case management that is being undertaken. Support to remandees is not currently provided by a planning officer, but a Correctional Officer is allocated to case manage the immediate needs of all prisoners held on remand. The TPS is working towards implementing a model of facility-based Intervention and Reintegration Services teams which will provide great access to these supports to remandees.
Our analysis	The move to facility-based Intervention and Reintegration Services teams had been completed at the time of publication but was still in the early days of implementation. We have continued to hear feedback from people in custody regarding gaps in their case management. This may be the result of implementation issues as people get used to the way the new system works, or is perhaps indicative of broader issues. We will continue to review case management provided to people on remand.
Status	In progress

Prisoner classification

Recommendation	8. Introduces a formal risk assessment, and procedures to ensure it is completed, and recorded on the Custodial Information System, before allocating prisoners to share a cell.
TPS update	Process in Vacancy Management has been implemented that addresses this recommendation.
Our analysis	In September 2024, the TPS introduced a shared cell risk assessment form, which according to the form 'must be completed for every prisoner prior to them being placed in shared cell accommodation (overnight accommodation)'. We have started to see these forms being used prior to people in custody being allocated to shared cells. As such, we have marked this recommendation as complete.
Status	Complete



Recommendation	10. Identifies and implements alternative strategies to managing challenging prisoner behaviour outside of using the prisoner classification scheme, whenever it is appropriate and possible.
TPS update	The TPS already has an established disciplinary process and contract system to manage prisoner behaviour. The Prisoner Contract System is being reviewed and updated. In addition to the above the TPS has specific accommodation units designed to manage prisoner behaviour – including the use of incentive units and management units. Recent changes have occurred to reclassify the purpose of a number of units across the TPS.
Our analysis	While the TPS has established processes to manage the behaviour of people in custody, we have heard of the use of regimes to manage behaviour which have not been approved by management. It is important that any behaviour management scheme follows written procedure that complies with relevant legislation, human rights standards and best practice.
Status	In progress

Recommendation	11. Introduces a central body or person to coordinate the accommodation placement of prisoners in accordance with formally documented processes to ensure consistency in decisions.
TPS update	A centralised vacancy management model has now been incorporated into the primary functions of the Sentence Management Division.
Our analysis	As described by the TPS this recommendation has been completed.
Status	Complete



Sentence administration and release arrangements

Recommendation	12. Introduces procedures to advise prisoners of the reason and the length of time in custody.
TPS update	Prisoners are currently advised of their sentence length as early as possible following sentence. Detailed information on how sentencing is managed is provided to all prisoners via a fact sheet. This is generic information in respect to sentencing calculations. The TPS hopes more individualised information will be made more available to prisoners with the introduction of kiosks through the Justice Connect Project.
Our analysis	During the inspection, we did not hear any concerns from people in custody regarding this matter. The introduction of fact sheets ensuring that people are advised of the length of their sentence as soon as possible is a positive development. We look forward to the introduction of kiosks to further improve the availability of information to people in custody.
Status	Complete
Recommendation	13. Undertakes a review of the quality assurance processes for sentence calculations to ensure that it is robust and not simply a 'tick and flick'.
TPS update	The Sentence Management Division (SMD) is now established and processes have been routinely strengthened and additional checks and balances put in place. Sentence calculations are subject to three independent verifications and are later subject to compliance checks from a member of the Performance and Compliance unit. Professional development will continue in this area, ensuring the Sentence Management Division staff remain up-to-date with changes in the law and judicial authority, whilst awaiting the introduction of Justice Connect (Astria).
Our analysis	The establishment of SMD is a positive development since the Custody Inspection in 2018. The TPS provided information outlining 10 incorrect releases in the three years between 2019 and 2022, but the situation is much improved with the new SMD.
Status	Complete



Recommendation	14. Explores options to ensure that no prisoner is released without the means to pay for transport and some food.
TPS update	Consideration of options to address this recommendation continues and will have budgetary implications. It is noted that the TPS does have a Payment of Transport Costs Standing Order that addresses aspects of this recommendation.
Our analysis	The TPS does help people in custody pay for transport on release. The issue of late releases does impact whether any transport options are actually available, which has been discussed in this report. The TPS should continue to consider how to ensure that people are not released without a means to pay for some food.
Status	In progress

Recommendation	15. Implements alternate payment options to posting cheques to ensure that prisoners without a forwarding home address are able to receive any remaining balance from their TPS prisoner account without having to present at the Risdon site.
TPS update	Payments are currently issued from LRP, Hobart Reception Prison (HRP) and Risdon. If a prisoner identifies as having no forwarding address and is unable to present to LRP, HRP or the Risdon site, the TPS is prepared to make the payment to an alternative location (i.e. Service Tasmania or local post offices), determined on a case-by-case basis. This does currently occur through the TPS Finance Department.
Our analysis	As described by the TPS this recommendation has been completed.
Status	Complete



Recommendation	16. Revises and amends the Remission Policy as a matter of urgency to reflect the correct legislative references and update out of date information.
TPS update	Review of the Remission Policy continues.
Our analysis	An internal memorandum was issued in February 2023 regarding a change to the Remission Policy, however the Remission Policy itself is still dated 2009. The remission report form attached to this policy is still version one, whereas the form available for staff to fill out is currently up to version five. The TPS should update the Remission Policy as soon as practicable to prevent errors occurring.
Status	In progress

Recommendation	17. Ensures that the timeframes within the Remission Policy are complied with, to allow prisoners sufficient time to appeal full or partial loss of remission thereby ensuring procedural fairness for prisoners.
TPS update	Remedial action is undertaken if and when issues are identified with the process.
Our analysis	Taking remedial action as issues are identified is appropriate, however it is important to monitor for recurring issues that may be indicative of a wider or systemic problem. We also appreciate that now remission is no longer available, the number of people eligible for it will only lessen over time.
Status	Complete



Induction

Recommendation	18. Considers options for providing prisoners with a general induction to the prison and its services by way of an audio/visual format to assist prisoners with low levels of literacy.
TPS update	Consideration of options to address this recommendation continues. The SRC induction process will commence within 24 hours of a detainee's reception into the facility. SRC induction processes will be provided in a manner that is easily understood by detainees, via a range of communication styles, including oral, written, visual media and physical orientation around the facilities. Work is currently under way to produce a video induction for the SRC and it is expected that the first of six videos will be completed by the end of 2022.
Our analysis	The SRC induction video has now been completed and is available for people in custody to watch. Additionally, peer supporters and Correctional Officers help orientate those new to facilities. We encourage the TPS to continue to improve induction materials and provide them in various formats. As such, we have made a further recommendation regarding the induction booklets in this report.
Status	Complete

Complaints and grievances

Recommendation	65. Provides information on the complaints and grievances process by way of an induction video or similar audio/visual format
TPS update	Consideration of options to address this recommendation continues. A revised Complaints DSO was formally issued in January 2021 which incorporates the need for officers to provide explanation of the complaints process to prisoners through the induction process. This work will be incorporated in the production of the videos noted in #18.
Our analysis	As per the response from the TPS, this recommendation is in progress. Positively, the TPS is also creating Easy Read complaint information.
Status	In progress



Recommendation	66. Reviews the existing complaints policy and introduces measures to ensure the complaints and grievances processes maintain prisoner confidentiality
TPS update	The new complaints process has been finalised, with the DSO formally issued in January 2021. The DSO contains a process for the management of confidential complaints.
Our analysis	The management of confidential complaints involves placing the complaint in a sealed envelope addressed to the Complaints Coordinator. We have heard concerns from people in custody that correctional officers can open these envelopes and read their complaints. It may be helpful, to reassure people in custody of the confidentiality of their complaints, if confidential complaints could be posted into some kind of locked box that only certain staff members can access.
Status	Complete

Recommendation	67. Considers options to allow prisoners to lodge a complaint about the conduct of correctional officers outside of the existing unit management framework
TPS update	As per comment to recommendation 66.
Our analysis	People in custody can use the confidential complaints process to complain about the conduct of correctional officers. The comments above for recommendation 66 apply to this recommendation as well.
Status	Complete

Legal resources

Recommendation	68. Explores options, and implements measures, to ensure all prisoners have access to a regularly updated library of law resources
TPS update	Letter of Intent is now in place with Libraries Tasmania and noting the below action. The SRC has a “Legal Resource Centre”, for the delivery of education and programs. This space includes 6 computers and space for access to legal resources. Prisoners are provided access to hard copy as well as electronic legal resources.
Our analysis	People accommodated in RBP and medium and low classification units in Mary Hutchinson Women’s Prison (MHWP) have access to library spaces and resources, but access to legal textbooks needs improvement. People on remand in the SRC have a selection of legal textbooks available and access to computers. However, frequent lockdowns across the Risdon Prison Complex (RPC) mean that people in these areas are not able to leave their cells or units to access communal resources. They are able to request hardcopy resources from the RBP library, but these can take some time to arrive, and the legal resources are not as comprehensive as those available to people in the SRC. The TPS should continue to work to ensure that people in custody have adequate access to these resources.
Status	In progress



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inspection report

Appendix 3:

Department of Justice response to recommendations



**Office of the
Custodial Inspector**
Tasmania

Department of Justice response to recommendations

Department of Justice
OFFICE OF THE SECRETARY

Level 1, 85 Collins St, Hobart TAS 7000
GPO Box 825 Hobart TAS 7001
Phone 03 6165 4943
Email secretary@justice.tas.gov.au Web www.justice.tas.gov.au



4 March 2025

Mr Richard Connock
Custodial Inspector
Office of the Custodial Inspector

Email: ci@custodialinspector.tas.gov.au

Dear Mr Connock

"Custody: Reception to Release Inspection Report 2025" – Departmental response

Thank you for the opportunity to provide a response to the Custody: Reception to Release Inspection Report 2025.

The Department of Justice response is attached to this correspondence.

If you require any clarification or any further information, please do not hesitate to contact Tristan Bell, Assistant Director, Tasmania Prison Service at Tristan.Bell@justice.tas.gov.au or [REDACTED]

Yours sincerely


Rod Wise
Deputy Secretary, Corrective Services



The Department of Justice (the Department) acknowledges the work undertaken by the Custodial Inspector (CI) and his staff in relation to this report and acknowledges the comments made throughout the report.

The Department continues to work in partnership with the CI to improve the corrections system in Tasmania. It was pleasing to see the various positive acknowledgments made by the CI highlighting the improvements that have, and continue to be made by the Tasmania Prison Service (TPS). While positive change can appear slow in a complex system like corrections, the Department and the TPS continue to work towards making that positive change.

The Department supports all the recommendations made either in full or in part, noting that two recommendations are to the Tasmanian Parliament. The TPS has commenced working towards the fulfillment of some of the recommendations.

The Department thanks the Custodial Inspector for the opportunity to provide comment on the draft report and responses to the recommendations.

The Department acknowledges that female prisoners do not have a separate remand facility and that this is less than ideal. Notwithstanding, the TPS works to the best of its ability to provide similar supports and conditions to female prisoners in the Mary Hutchinson Women's Prison as those received by male prisoners on remand.

The Department and the TPS share the CI's concerns about prisoners being released late in the day and the inability of the TPS to support prisoners who voluntarily wish to spend the night in a TPS facility and be released in the morning when transport and other matters may more easily be dealt with. Recognising that many of the issues related to this are broader systemic issues such as the availability of housing, the TPS continues to work proactively with stakeholders, including the courts and legal practitioners and through the development of recommendations for legislative change to address this matter. This work has been progressing well and is something the TPS has been actively pursuing prior to the recommendation made in this report. The Department acknowledges the good work of staff who go above and beyond to support prisoners in often difficult circumstances and commends them for their efforts.

Please see below the Department's response to each of the recommendations.



1 Improve accessibility and consistency of induction materials.

Response

The TPS supports a review of the induction manuals and processes used in each facility and will undertake this review with a view to improving the accessibility of the content and ensuring greater consistency in the materials provided.

Level of acceptance	Supported
Responsible agency(ies)	Department of Justice
Responsible business area	Various facilities
Proposed completion date	End 2025

2 Diversify and publicise within the prisons the manner in which people in custody can provide a representation to the Classification Review Panel.

Response

Director's Standing Order *2.04 – Classification and Accommodation Placement* already provides various methods for a prisoner to provide a representation to the Classification Review Panel including through writing or appearing in person at the discretion of the panel. The TPS is supportive of ensuring that this process is better publicised so that prisoners have a greater awareness of the options available to them.

Level of acceptance	Supported in part
Responsible agency(ies)	Department of Justice
Responsible business area	Sentence Management Unit
Proposed completion date	June 2025



- 3 The Tasmanian Parliament amend the Corrections legislation to enable people in custody to request to stay beyond their release date if there is sufficient reason to justify it, such as a lack of a transport.**

Response

The Department notes that this recommendation is to the Tasmanian Parliament and that it is a matter for Government if it accepts and pursues this recommendation. The Department has been developing recommendations for legislative change that would address this issue and these will be progressed in the coming months.

Level of acceptance	N/A - responsibility of another agency
Responsible agency(ies)	Tasmanian Parliament
Responsible business area	NA
Proposed completion date	NA

- 4 Internal complaints process information should be made clearer and be consistent across induction manuals for the various prisons.**

Response

Supported.

Level of acceptance	Supported
Responsible agency(ies)	Department of Justice
Responsible business area	Performance and Compliance
Proposed completion date	July 2025

5 Tasmania Prison Service engage with the Integrity Commission with the view to adding its phone number to the Common Auto Dial List on the prison telephone system, Unity.

Response

Supported. The TPS has contacted the Integrity Commission (IC) to commence this process, and subject to the support of the IC to have its number added to the CADL this will be actioned.

Level of acceptance	Supported
Responsible agency(ies)	Department of Justice
Responsible business area	TPS Communications
Proposed completion date	March 2025

6 Tasmania Prison Service introduce processes so the details of professional calls are only provided to the relevant person in custody.

Response

Supported

Level of acceptance	Supported
Responsible agency(ies)	Department of Justice
Responsible business area	Various facilities
Proposed completion date	June 2025



- 7 The Tasmanian Parliament legislates to require that correspondence between people in custody and complaint and oversight bodies such as the Integrity Commission, the Anti-Discrimination Commissioner and the Independent Regulator is only opened by the intended recipient.**

Response

The Department notes that this recommendation is to the Tasmanian Parliament and that it is a matter for Government if it accepts and pursues this recommendation. The Department will consider this recommendation for legislative change and make a recommendation on potential change.

Level of acceptance	N/A - responsibility of another agency
Responsible agency(ies)	Tasmanian Parliament
Responsible business area	NA
Proposed completion date	NA

- 8 Tasmania Prison Service consult with Tasmania Law Library and take action to ensure that the legal textbooks available to people in custody outside Southern Remand Centre are in accordance with its *Director's Standing Order 4.16 Access to Legal Resources*. Steps should include ensuring the texts are appropriate to meet the legal needs of people in custody, the existence of the textbooks is well-known, and they are easily accessible to borrow.**

Response

Supported.

Level of acceptance	Supported
Responsible agency(ies)	Department of Justice
Responsible business area	TPS Communications
Proposed completion date	August 2025



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Appendix 4:

Integrity Commission response



**Office of the
Custodial Inspector**
Tasmania



Integrity Commission response



OUR REF: 2025/000453
14 March 2025

Richard Connock
Custodial Inspector
Level 6, 86 Collins St HOBART TAS 7000

By email: sam.christensen@custodialinspector.tas.gov.au

Dear Mr Connock

Custody Inspection Report

Thank you for providing us with a confidential excerpt from your draft *Custody: reception to release inspection report 2025*.

We note and support the various recommendations in the draft report relating to the Integrity Commission Tasmania (ICT). I seek to make one observation in relation to recommendation 5: *TPS engage with the Integrity Commission with the view to adding its phone number to the Common Auto Dial List on the prison telephone system, Unity.*

We agree that accessibility is important in both general and specific terms, including enabling prisoners to contact us confidentially and anonymously should they wish to do so.

The ICT is a very small organisation in terms of head count, with typically only one person answering external calls. We are planning to implement an automated service for responding to external calls, as part of which callers will select which part of the ICT they wish to speak to and then leave a voice message. This initiative will also assist in overcoming some of the barriers that may exist if a person is not able to make a written complaint.

We would be content to have our number added to the Common Auto Dial List once this system is in place, which is currently planned for the fourth quarter of the current financial year. So that calls may successfully be made from the Unity phone in the prison, we understand that this will require that a dedicated phone number be set up that goes straight to voicemail.

Should you be agreeable to this, I propose that we notify you once the ICT's new automated service is in place, so that the relevant number may be added to the Common Auto Dial List.

Yours sincerely,

A handwritten signature in black ink, appearing to read "E. McKenzie".

Ellen McKenzie
Chief Executive Officer

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Level 2 199 Macquarie Street • GPO Box 822 Hobart 7001 • 1300 720 289 • www.integrity.tas.gov.au • contact@integrity.tas.gov.au



Custody: reception to release
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Appendix 5: List of acronyms



**Office of the
Custodial Inspector**
Tasmania



List of acronyms

CIS	Custodial Information System
CPHS	Correctional Primary Health Service
DoJ	Department of Justice
DSO	Director's Standing Order
HRP	Hobart Reception Prison
LGBTIQA+	Lesbian, gay, bisexual, transgender, intersex, queer, asexual, and other sexually or gender diverse
LRP	Launceston Reception Prison
MHWP	Mary Hutchinson Women's Prison
NSW	New South Wales
RBP	Ron Barwick Prison
RPC	Risdon Prison Complex
SRC	Southern Remand Centre
TAS	Tasmania
TPS	Tasmania Prison Service





Office of the
**Custodial
Inspector**
Tasmania

1800 001 170 (Free call)
ci@custodialinspector.tas.gov.au
www.custodialinspector.tas.gov.au