

Internal Memorandum

Corporate Services

To: Andy Fitzharris
Chief Inspector

File Reference: C80922

From: Louise MacDonald & Jason Ekins
Inspectors of Corrections

Date: 25 January 2017

c.c Prison Director – ASCF
Regional Commissioner – Northern
Corrections Services

Subject: Investigation into allegations documented in correspondence received 17 October 2016 from s.9(2)(ba)(i) regarding concerns of prisoners and staff safety at ASCF.

For your information and action

Background – Initial complaint

1. On 17 October 2016 the Department of Corrections, Ministerial Services received a four page letter dated 13 October 2016 from s.9(2)(ba)(i) addressed to the Chief Executive, Department of Corrections. A copy is attached as Appendix 1.
2. The letter highlighted specific and general allegations raised by prisoners with s.9(2)(ba)(i) and observations by s.9(2)(ba)(i) while visiting the site on a number of occasions from May to October 2016.
3. The Chief Executive responded to s.9(2)(ba)(i) on 17 October 2016 advising that the concerns raised will be investigated by the Department's Inspectorate Office. A copy is attached as Appendix 2.
4. This report is that investigation, with the body of the report documenting the background, methodology, overall opinions, findings and recommendations of the Inspectors.
5. The specific allegations as detailed in the letter by named prisoner are addressed in Appendix 3 and the general allegations have been addressed in Appendix 4.

Methodology

6. The Investigation was completed by Inspectors, Louise MacDonald and Jason Ekins and consisted of the following:
 - Interview prisoners previously interviewed by s.9(2)(ba)(i)
 - Interview group of random prisoners selected by Inspectors.
 - Interview prisoners who had sustained suspicious injuries.
 - Discussions with ASCF management and staff (custodial, health, IT, Intel, HR, administration, compliance).
 - Discussions with Department of Corrections managers & staff currently located at ASCF (monitors & mentors).
 - Review of electronic data (e.g. CCTV, cell alarms, phone calls, local prisoners' computers & kiosk)
 - Review of prisoners electronic files (custodial & health)
 - Review of ASCF local Policy and Procedure Manual
 - Review of specific health information pertaining to injuries sustained by prisoners
 - Review of site roster
 - Contact with some prisoner's families
 - Personal observations of the site s.6(c)
 - Housing Block records and management meeting records
 - Monitor's monthly reports
7. The Investigation also met with the Prison Director prior to the commencement of the investigation and following the site visit.
8. Throughout the course of this investigation, issues were identified, none were classified as urgently significant which would require immediate notification to ASCF management and/or Department of Corrections.

Findings

9. The Investigation found that there was no evidence of any planned/organised fighting amongst prisoners. There is however evidence that fights do occur between prisoners for a variety of reasons, specifically in the s.6(c) due to;
 - Stand overs – s.6(c)
 - Boredom – s.6(c)
 - Gambling debts – s.6(c)
 - Jealousy – s.6(c)
 - Personal – s.6(c)
 - Gangs – s.6(c)

10. NZ prisons (including ASCF) have a zero tolerance attitude towards violence however it is acknowledged and not unexpected that there are elements of violent related incidents in every prison due to complex factors, primarily being the nature of some prisoners within a stressful environment and that not all prisoners feel safe all the time.
11. The Investigation found that ASCF management were proactively dealing with any reported violent related incidents (including sparring / shadow boxing) and that these incidents were generally managed well, with the appropriate follow up (i.e. incident reports, misconduct reports, directed segregation, reported to Police if required/requested, internal investigations, Use of Force reviews).
12. The Prison Director had implemented a Violence Reduction Plan since March 2016 as the result of violent and home brew incidents. This plan is a living document, with all relevant stakeholders meeting fortnightly to review any reported violence related matters.
13. The overall reported incidents for ASCF have reduced since the implementation of the Violence Reduction Plan. Data sourced from the Department of Corrections reporting system (COBRA) shows the specific details of this information and is attached to this report as Appendix 5.
14. This review found that the implementation by management of locking prisoners cells, wing laundry & kitchenette, and communal toilet during general unlock has reduced the level of violence within the wings.
15. In addition the presence of staff in the wings, prisoners being aware of electronic surveillance and consequences of non-compliant behaviour is seen as a deterrent for the majority of prisoners.
16. However, the Inspector is of the view that contributing factors to prisoner violence at ASCF is due to prisoners issues with the ineffective complaints process, lengthy delays in accessing their property and restricted reintegration interventions causing high levels of anxiety and frustration.
17. In addition, though staff are present in the Units and generally responsive to prisoners' day to day needs within the wing, the Inspector found prisoners are seeking assistance externally via their families, Inspector, Ombudsmen & 9(2)(ba)(i) primarily due to;
 - A level of disconnect between staff and prisoners when dealing with prisoner issues that either required escalation to management and/or attention by other areas outside the Unit (e.g. receiving office, property office, case management, education, visits).
 - Prisoners lack of faith in the internal complaints process with manual complaints forms going missing / not being registered.
18. This has resulted in a high level involvement in prisoners day to day concerns by senior management and external agencies that should be dealt with at the lowest level, which is not occurring. The Inspectorate Office receives numerous

complaints still from prisoners alleging staff are refusing to accept their internal complaint forms.

19. This is a complex issue and is not specific to all staff and can be assisted with additional training, support and visible leadership. Though the site is not compliant with the complaints process, this review has already observed improvements in the formal complaints process with the standard of those internal complaints that have been registered being completed to a higher standard and within the required timeframes.
20. The review is of the opinion that to bring any credibility back to the internal complaints process, ASCF management should assign additional resources to ensure delays in processing property requests/backlog is addressed and a robust process implemented, and that the complaints process is reviewed with staff receiving additional training and taking ownership of the process.
21. Though the site has made improvements thus far, the Inspector is of the view that contributing factors (boredom/no structured day/prisoner placement regime/lack of responsivity by some staff / delays in resolving prisoners concerns & requests/compliance with complaints process & property process) that if these factors were reduced, the high level of complaints would also reduce.
22. The review found another area of significant concern and a contributing factor to the violence within the s.6(c) was the type of prisoners seeking the protection of voluntary segregation.

23.

s.6(c)

24.

25.

26.

27.

s.6(c), 9(2)(g)(i)

s.6(c), 9(2)(g)(i)

28. In addition, the current physical layout of the s.6(c) and mainstream prisoners placements within Housing Blocks s.6(c) should be reviewed by ASCF management with the view of changing the prisoners' placements, with all s.6(c) being located in one House and all mainstream prisoners located in another House. This is likely to lessen the current restrictions of s.6(c) movements and lack of access to activities.
29. s.6(c)
30. In addition there are reportedly issues with cell computers not working and delays in having these computers fixed and/or replaced. These complaints have not been verified at this stage and will require further investigation.
31. s.6(c)

A summary of the individual complaints/allegations raised by s.9(2)(ba)(i) regarding named prisoners found that;

32. s.9(2)(a), 9(2)(ba)(i)
33. s.9(2)(a) s.9(2)(ba)(i)
- Recent allegations found to have been addressed by ASCF management & Department of Corrections with formal response to prisoner's s.9(2)(a), 9(2)(ba)(i) and s.9(2)(ba)(i)
 - Review found no evidence to substantiate prisoner's allegations that he had been denied his medication and staff negligence regarding an incident when he was assaulted by another prisoner on s.9(2)(a), 9(2)(ba)(i).
 - Review did find shortfalls in management of prisoner's internal complaints regarding matters raised, specifically in relation to allegations of misuse of the prisoners' computer system, s.9(2)(a), 9(2)(ba)(i) and his s.9(2)(a), 9(2)(ba)(i)
34. s.9(2)(a) s.9(2)(ba)(i)
- Review found the prisoner on prisoner assault was dealt with and reported as required by ASCF management at the time.

- Review found shortfalls in the follow up process with s.9(2)(a), 9(2)(ba)(i) not being placed on a misconduct charge and only one incident report being completed.

35. s.9(2)(a) s.9(2)(ba)(i)

- Review upheld the prisoner's complaint as there was no evidence that he had been provided with a copy of his security classification completed in s.9(2)(a), 9(2)(ba)(i) as required.
- Review found that the site monitors had raised concerns with prison management in s.9(2)(a), 9(2)(ba)(i) as to areas of non-compliance with Security Classification process which has since been addressed and as such removed from the 'Issue Register' in s.9(2)(a), 9(2)(ba)(i).
- Review found the prisoner's complaint regarding non-compliance with ASCF complaints process has merit and that this is an ongoing matter being addressed by the Regional Inspector with ASCF Prison Director as business as usual.

36. s.9(2)(a) s.9(2)(ba)(i)

- ASCF management are currently investigating the prisoner's allegations in relation to staff negligence regarding the prisoner's safety.
- Review was provided additional information by the prisoner regarding staff which was referred to the Prison Director for further investigation.
- Review found the prisoner had not previously raised concerns regarding his sentence calculation. This has now been addressed by management with the prisoner directly as an internal request.

37. s.9(2)(a) s.9(2)(ba)(i)

- Review found the prisoner had not previously attempted to address his concerns via the internal complaints process as required.
- Review found that the prisoner had genuine concerns with the delay in resolving his property, reintegration and transfer requests.
- Review resolved prisoner's specific issues with prison management directly.

38. s.9(2)(a) s.9(2)(ba)(i)

- Historical complaint which the Department of Corrections had been previously dealt with, formally advising the complainant of the outcome, including s.9(2)(ba)(i) that the matter had been addressed.
- Review found prisoner's letter in response to Department of Corrections initial response had not been formally responded to. Regional Inspector to action as business as usual.

39.

s.9(2)(a) s.9(2)(ba)(i)

- Recent allegations of excessive use of force by staff under investigation by management and had been referred to Police for further investigation prior to s.9(2)(ba)(i) enquiry.
- Request by s.9(2)(ba)(i) for CCTV footage to be saved and to enable the prisoner to view the footage was responded to by the Department of Corrections advising that the footage had been saved, however request to review was declined.
- Review found independent evidence (documentation, medical records, CCTV footage) that disproves prisoner's version of events as to incident on s.9(2)(a), 9(2)(ba)(i) and subsequent management in s.6(c).

A summary of the concerns raised by s.9(2)(ba)(i) in the general section of his letter that has not already been addressed above is as follows;

40. All allegations specifically relating to staff are currently being investigated by ASCF management as per their local policy 24.03 – Staff Misconduct & Serious Complaint. A copy of the policy is attached as Appendix 6.
41. This review is satisfied that ASCF management have a robust process in place to manage allegations against staff that is transparent and accommodates the requirement for reporting to the Department of Corrections.
42. There is the requirement for a protocol between Serco and the Inspectorate Office to be developed in regards to the monitoring of allegations against staff involving prisoners, similar to the Department of Corrections IR.07 – Staff related incidents and investigations process.
43. The review found no evidence that ASCF is understaffed as generally alleged; with the number of custodial staff being observed by the Inspectors in the Wings during unlock times being similar to those level in public prisons.
44. The review found that there are some prisoners who feel unsafe, however this is for a variety of reasons not too dissimilar to public prisons. Some of the contributing factors specifically related to ASCF are as follows;
 - Those prisoners currently on s.6(c) who traditionally would have been on mainstream
 - Lack of confidence in floor staff due to staff inexperience and lack of visible leadership.
 - Constant delays in processing general prisoner requests (frustration levels rise)
45. The review also found contributing factors affecting prisoners indirectly were their perspective of what should be happening at ASCF as opposed to the actual approved processes specific to the ASCF/Serco contract which varies from public prisons.

46. An example of this is the Prisoner Placement regime, which is specific to ASCF and legally authorised under Part 5A of the Corrections Regulations 2005. ASCF is the only prison in NZ that has been designated this status by the Chief Executive.
47. As a result prisoners of all classifications (excluding Maximum) are permitted to associate (subject to the local Responsible Prisoner Model & Prisoner Placement policies). This of course is different to public prisons where Minimum/Low security prisoners are not permitted to be housed with Low Medium/High Security prisoners.
48. Due to a lack of communication & information provided to prisoners, there are prisoners at ASCF who believe they are being housed unlawfully which aggravates their frustration when as a minimum security prisoner they are being housed in what they perceive as a high security environment.
49. The review found no issues with the strip search areas for two of the rooms in regards to CCTV coverage, s.6(c) [REDACTED]
50. This was brought to ASCF managements' attention by the Department of Corrections representative manager¹ to rectify immediately by s.6(c) [REDACTED]
51. Specific information pertaining to contraband, unlawful activities (prisoners and staff) has been reported to Intel and is work in progress. The Intel Unit at ASCF is well staffed with experienced external personnel s.6(c) [REDACTED]
52. This review found ASCF management has strong relationships with their stakeholders within the Department of Corrections which is positive and reflects the openness and transparent philosophy of the Prison Director who has demonstrated a receptive attitude towards issues highlighted and a proactive, pragmatic approach in resolving these issues.
53. This review accepts the response provided by ASCF management as detailed in Appendix 4 regarding the allegation that prisoners are often given the answers to tests to improve pass rates to courses (including NZQA) in the absence of any specific information to prove otherwise.
54. A more in depth review may be undertaken on the provision of more specific details by s.9(2)(ba)(i) [REDACTED] to allow a focus review by the Department of Corrections.

¹ The representative manager is a Department of Corrections, Deputy Prison Director currently based at ASCF as part of the Operational Excellence Team which commenced in June 2016.

Overall Summary

55. This review is of the opinion the general concerns raised by s.9(2)(ba)(i) in relation to the level of violence and non-response / actions by staff is not substantiated.
56. A majority of the specific allegations by the named prisoners had;
- been dealt with by the Department of Corrections prior to s.9(2)(ba)(i) letter dated 13 October 2016;
 - did not related to ASCF; or
 - were under investigation by the appropriate agency (i.e. Police, Inspector, ASCF management).
57. There are significant areas of concerns which prison management were already aware of in relation to;
- Abuse of prisoners' cell computers
 - Abuse of the s.6(c) status by s.6(c)
 - Physical restrictions for s.6(c) prisoner to participate in structured activities due to placement of mainstream prisoners within the same Houses s.6(c)
 - Non-compliance with the internal complaints process
 - Constant delays in processing prisoners property requests / property claims
 - Inexperience and lack of ownership by some floor staff to manage prisoners' behaviours/concerns, and limited visible leadership on the floor during unlock hours to facilitate confidence and consistency with floor staff.
 - Lack of and/or inconsistencies with communication/information between prisoners, floor staff and management.
 - Lack of access and/or lengthy delays for reintegration, case management and programmes for some groups of prisoners (i.e. s.6(c)).
58. This review is concerned with the ongoing non-compliance of the complaints process and high level of frustration expressed by prisoners regarding the unreasonable delays and/or lack of responses in general to their issues, specifically property.
59. s.6(c), 9(2)(g)(i)

Recommendation for ASCF management

60. The Inspector recommends ASCF management consider the following;

a) Note the contents of this report.	YES / NO
b) Accept the following recommendations that ASCF should consider:	
<ul style="list-style-type: none"> • Immediately assigning additional resources to review and amend their local complaints process, ensuring staff are trained, and prisoners are informed as to any changes that have been implemented. 	YES / NO
<ul style="list-style-type: none"> • Immediately assign additional resources to; <ul style="list-style-type: none"> - Action all outstanding property requests and ensure all prisoners have the property they are entitled to. 	YES / NO
<ul style="list-style-type: none"> <ul style="list-style-type: none"> - Action all property claims and ensure prisoners are advised/provided progress reports on the status of their claims 	YES / NO
<ul style="list-style-type: none"> <ul style="list-style-type: none"> - Review the current property process for ASCF to ensure compliance 	YES / NO
<ul style="list-style-type: none"> • Realign the placement of s.6(c) to one house block and Mainstream prisoners to another 	YES / NO
<ul style="list-style-type: none"> • Introduction of training modules for Supervisor and floor staff, similar to Department of Corrections staff 	YES / NO
<ul style="list-style-type: none"> • Provide structured day for s.6(c) prisoners which include access to reintegration services, programmes, work and recreation. 	YES / NO

Consultation

61. A draft copy of this report was provided to the Prison Director, ASCF/Serco and Regional Commissioner – Northern, Corrections Services for comment and/or acceptance prior to finalisation.
62. On 25 January 2017 a final response was received from the Prison Director, ASCF/Serco and is quoted verbatim below;

'I thank the Inspectorate for the report.

I accept the recommendations that Serco/ASCF can address independently however there are elements of others which will require a collaborative approach with the Department of Corrections to resolve. Indeed this was discussed at a recent workshop held at ASCF with Christine Stevenson and Chris Fry from Department of Corrections, Secure Future board members and Heath Chapple and Mike Inglis from Serco. The workshop covered contract challenges and opportunities for future development of ASCF aligned to contract deliverables.

I also require further clarification on the report's conclusions, specifically on deficiencies around property, complaints and purposeful activity for s.6(c) prisoners and their direct or indirect link to violence on site. This could be discussed jointly in January 2017. After discussion with the Inspectorate in January 2017, the themes of the report especially interviews with prisoners, evidence that some underlying issues may be a factor with boredom which in turn may lead to violence. I accept this and these areas will form a critical part of our action plan and my discussions with the Department of Corrections.

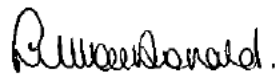
Based on this clarification I would then be in a position to develop an action plan to implement any changes required. This plan will be ready for the 19th February 2017. We have already implemented actions on the basis of the draft report.

I have also attached a response to the formal recommendations below.

Mike

<p>b) Accept the following recommendations that ASCF should consider:</p> <ul style="list-style-type: none"> • Immediately assigning additional resources to review and amend their local complaints process, ensuring staff are trained, and prisoners are informed as to any changes that have been implemented. • Immediately assign additional resources to; <ul style="list-style-type: none"> - Action all outstanding property requests and ensure all prisoners have the property they are entitled to. - Action all property claims and ensure prisoners are advised/provided progress reports on the status of their claims - needs collaboration with other sites in some cases. - Review the current property process for ASCF to ensure compliance • Realign the placement of s.6(c) to one house block and Mainstream prisoners to another. This needs a collaborative approach to take account of current prisoner cohort and other regimes within ASCF. • Introduction of training modules for Supervisor and floor staff, similar to Department of Corrections staff 	<p>YES</p> <p>YES</p> <p>YES</p> <p>YES</p> <p>NO</p> <p>YES</p>
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<ul style="list-style-type: none"> • Provide structured day for s.6(c) prisoners which include access to reintegration services, programmes, work and recreation. This needs a collaborative approach to take account of current prisoner cohort and other regimes within ASCF. 	YES
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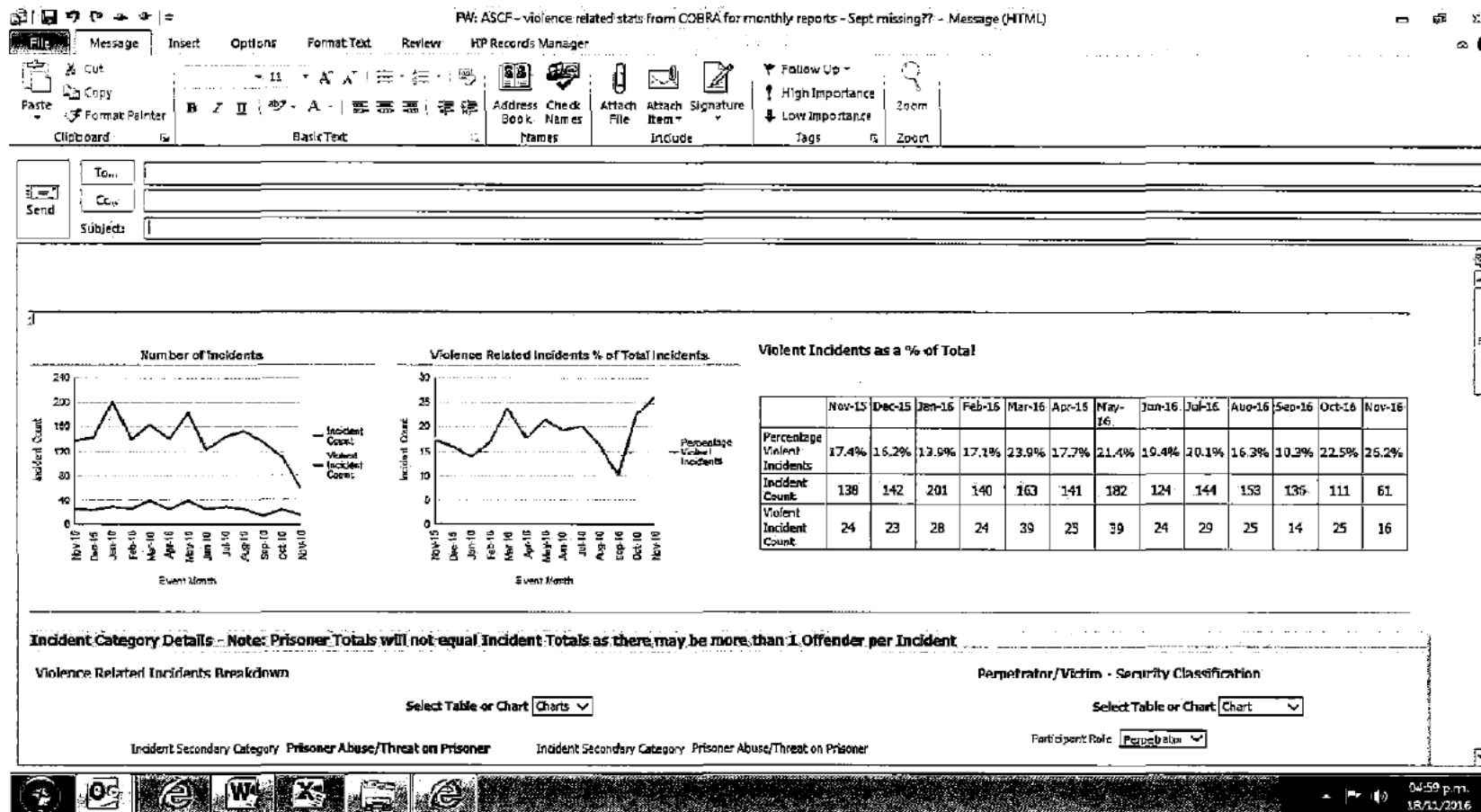


Louise MacDonald
Inspector of Corrections

Appendices One, Two, Three and Four are withheld under sections 6(c), 9(2)(a) and 9(2)(ba)(i) of the OIA

APPENDIX 5

ASCF violence related incidents statistics (sourced from COBRA) provided by DoC site montiors

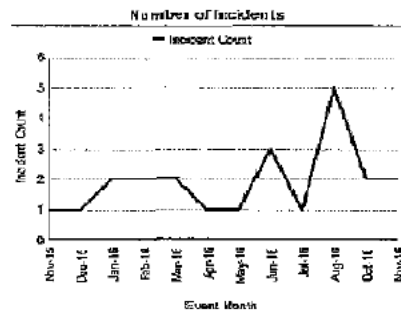


Incident Category Details - Note: Prisoner Totals will not equal Incident Totals as there may be more than 1 Offender per Incident

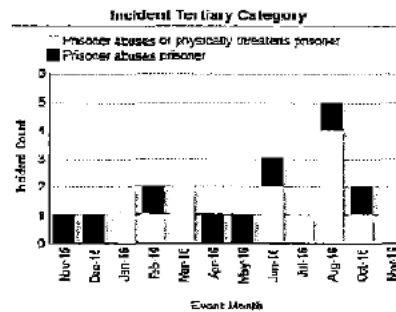
Violence Related Incidents Breakdown

Select Table or Chart **Charts**

Incident Secondary Category: Prisoner Abuse/Threat on Prisoner



Incident Secondary Category: Prisoner Abuse/Threat on Prisoner

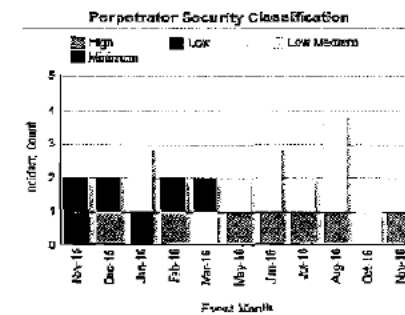


Perpetrator/Victim - Security Classification

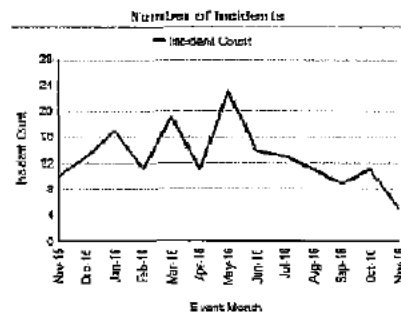
Select Table or Chart **Chart**

Participant Role **Perpetrator**

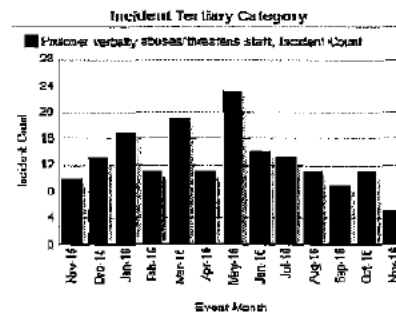
Incident Secondary Category: Prisoner Abuse/Threat on Prisoner



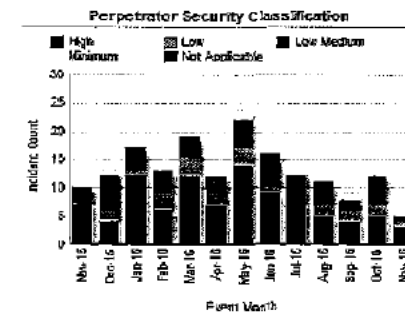
Incident Secondary Category: Prisoner Abuse/Threat on Staff



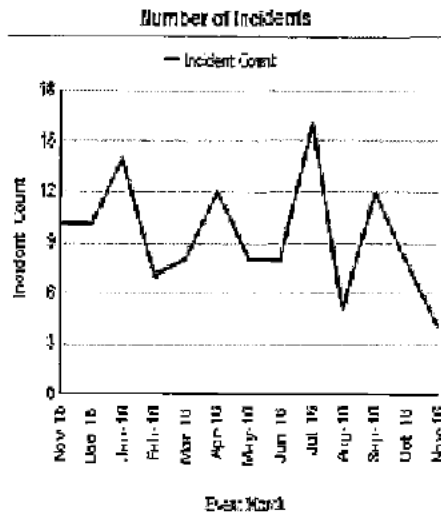
Incident Secondary Category: Prisoner Abuse/Threat on Staff



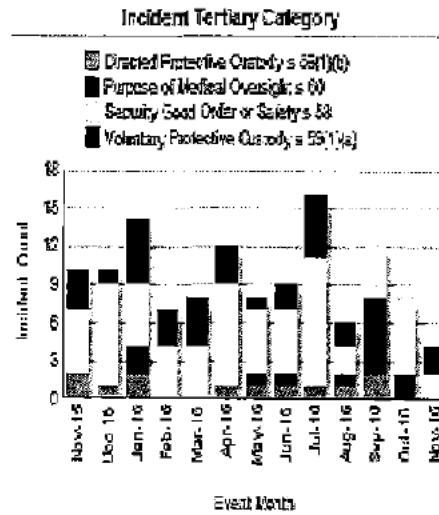
Incident Secondary Category: Prisoner Abuse/Threat on Staff



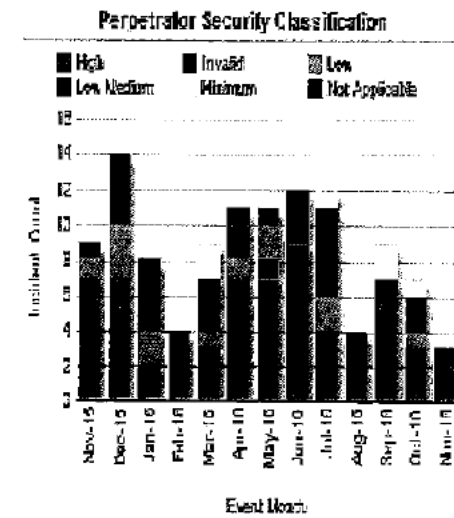
Incident Secondary Category Segregation



Incident Secondary Category Segregation



Incident Secondary Category Segregation



24.03 STAFF MISCONDUCT AND SERIOUS COMPLAINT

Auckland South Corrections Facility

DOCUMENT CONTROL

Version:	1.03
Last Updated:	26 February 2015
Applies to:	All Staff
Responsible Manager:	Director
Effective By:	May 2015

Contractual Reference

Schedule 14 Reference:	24.0 Complaints and Staff Misconduct
Contributes to Reducing Reoffending:	No
Contributes to KPI:	2.01, 2.09

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1 Objective

- 1.1 To ensure that all allegations against staff are addressed in a timely and professional manner and to reduce the stress of both staff and the prisoner involved pending the outcome of any investigation undertaken to investigate allegations against staff.

2 Policy

- 2.1 Prisoners who make complaints against staff and/or other prisoners are protected from possible retaliation.
- 2.2 Complaints against staff are taken seriously and restrictions on involvement from staff who are the subject of a complaint are implemented where necessary.
- 2.3 All complaints against staff misconduct are handled in a sensitive manner and submitted directly to the prison director and/or deputy director of the facility.
- 2.4 Complaints against staff are investigated appropriately, have restricted access and reported to Corrections as required.
- 2.5 Once staff become aware of a staff misconduct event they must immediately notify their manager.
- 2.6 Staff related complaints are not recorded into IOMS

3 Corrections Service Requirement

- 3.1 Serco must:
 - 3.1.1 Have effective complaint procedures in place for prisoners;
 - 3.1.2 Ensure all allegations of staff misconduct are investigated;
 - 3.1.3 Ensure any allegations of staff misconduct that are likely to have an effect on the reputation or credibility of the contractor, the department or any department related person is reported to the department; and
 - 3.1.4 Ensure that all incidents of staff misconduct, the outcome of any disciplinary investigations, and any disciplinary actions taken are reported to the department using procedure **06.14.01 Incident Reporting**.
- 3.2 The contractor will comply and will develop and implement a requests and complaints procedure that will:
 - 3.2.1 Be actively promoted and explained to prisoners during the induction programme;
 - 3.2.2 Ensure all prisoners are able to lodge complaints, and to prepare or present their case irrespective of their individual needs, including giving prisoners the opportunity to verify any information recorded in a complaint;
 - 3.2.3 Provide prisoners with a timely response to their complaint;
 - 3.2.4 Provide a monitoring mechanism to analyse trends in complaints received in order to improve the quality of the services provided;
 - 3.2.5 Investigate all allegations of staff misconduct and report to the Department as required, in accordance with the Policy and Procedures Manual.

4 Overview

- 4.1 Prisoners may submit a complaint regarding a member of staff using the form **F24.01.02 Formal Complaint** that will be handed to unit staff.
 - 4.1.1 Unit staff will deliver all complaint forms to Compliance for dissemination to Prison Director and Deputy Director.
- 4.2 **'Confidential Access'** complaints apply when a complaint is received in the event of any allegation of misconduct by a staff member.
- 4.3 Examples
 - 4.3.1 Assault by staff on a prisoner
 - 4.3.2 Abuse /Racial abuse
 - 4.3.3 Intentional loss of or damage to a prisoner's property
 - 4.3.4 Any theft of a prisoner's property
- 4.4 Identities of prisoners submitting confidential complaints are disclosed only to the extent that is necessary to assist in the investigation.
- 4.5 Allegations against staff may also be investigated by the Inspector of Corrections where the complaint is made directly to them, or upon notification, the Inspector deems it necessary to intervene.

5 Procedure – Handling of a staff related complaint

- 5.1 Prisoners that submit a complaint under **'Confidential Access'** will receive a notification their complaint has been sent to the Prison Director and Deputy Director.
- 5.2 Prisoners that incorrectly use the **'Confidential Access'** application will be promptly notified of the correct complaints application to use (see procedure **24.01 Complaints**).
- 5.3 All complaints submitted through **'Confidential Access'** must be acknowledged in writing to the prisoner within five business days from the complaint being submitted by the prisoner.
- 5.4 The Prison Director or Deputy Director will assess the complaint and, if justified, may assign a suitable staff member to investigate any allegation of staff misconduct. An initial interview with the prisoner must be carried out within 10 business days from the complaint being submitted.
 - 5.4.1 Staff members that are responsible for conducting an investigation must work in cooperation with HR policies and procedures.
- 5.5 Corrections shall be notified immediately using **F24.03.01 Notification of Staff Related Incident**
 - 5.5.1 Regional Commissioner
 - 5.5.2 Corrections Monitors.
 - 5.5.3 Inspector of Corrections
- 5.6 If the allegation relates to a staff assault on a prisoner, that prisoner must as soon as possible be examined by a health care staff member.
- 5.7 The prisoner shall be accommodated suitably and in a manner that ensures no duress or pressure to modify or withdraw the complaint until an investigation has been completed.
- 5.8 The staff member who is the subject of an allegation is to be advised that no record/details of the allegation will go on their personal record as a result of the investigation. However, details of the allegation may be recorded as a result of any

subsequent employment investigation.

6 Procedure: Formal Investigation

- 6.1 The Prison Director or Deputy Director may elect a suitable manager or assistant director to carry out the investigation.
- 6.2 Corrections shall be notified and updated as required on the progress of the investigation.
- 6.3 The prisoner must be interviewed to establish the following:
 - 6.3.1 The details of the allegation
 - 6.3.2 To provide an opportunity for the prisoner to make a complaint to the police
 - 6.3.3 If the prisoner elects to place a complaint with the Police the investigator must:
 - Facilitate this process by contacting the Police.
 - Ensure the prisoner is located in a manner that ensures no duress or pressure can be placed to withdraw or change their statement.
- 6.4 The Prison Director and/or Deputy Director, on receipt of the completed investigation report, will then decide on what further actions to take.
- 6.5 Once finalised, the prisoner shall be informed of the outcome of the investigation and advised of their right to seek advice or refer their concerns or complaint to the Inspector of Corrections or Ombudsman.
- 6.6 A completed copy of the formal investigation report will be provided to the Inspector of Corrections once the report has been finalised.
- 6.7 Where the complaint or investigation is ongoing, the Investigation Manager or Director must ensure that the prisoner and Corrections are notified on the progress of their complaint in intervals of no longer than a month.

7 Procedure: Charging of prisoner in relation to false allegation

- 7.1 If it is established through investigation that the prisoner has made a false allegation, the prisoner may be charged once:
 - 7.1.1 The Police have advised the outcome of their investigation and/or
 - 7.1.2 The findings of the formal investigation have been accepted by the Inspector of Corrections.
- 7.2 A charge against a prisoner must be made in accordance with procedure **14.02 Misconduct Report**.

8 Related Procedures

- 8.1 The following related processes have been identified:

Process	Relationship
24.01 Complaints	Describe procedures for handling general complaints
06.14.01 Incident Reporting	Describe procedures for reporting incidents
14.02 Misconduct Report	Procedures for charging a prisoner who has made false allegations

9 Related Instructions and Forms

Instruction	Forms/Registers
	F24.03.01 Notification of Staff Related Incident

10 Version Control

Version History			
Version	Date	Reason for release/version update	Issued by
1.01	1 December 2014		DM
1.02		Corrections Feedback	DM
1.03	26 February 2015	Remove staff entering information into IOMS per Corrections Feedback	DM