

Custodial Operations Policy and Procedures

6.9 Inmates with disabilities

Policy summary

Corrective Services NSW (CSNSW) ensures the safe and equitable management of inmates with disabilities, and provides services and programs to meet their needs in line with relevant state and federal legislation. The needs of inmates with disabilities are assessed on reception and monitored while they are in custody.

Statewide Disability Services (SDS) is responsible for providing advice and assistance to staff in managing inmates with disabilities. Services provided by SDS include assessments, supply of some equipment and referrals to outside agencies.

Management of Public Correctional Centres Service Specifications

Service specification	Decency and respect
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Scope

This section applies to all correctional centres and other facilities administered by or on behalf of CSNSW.

It also applies to all CSNSW employees, and where relevant to other personnel such as, Justice Health & Forensic Mental Health Network (JH&FMHN), contractors, subcontractors, and visitors.

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1 Inmates with disabilities

1.1 Identification and referral

CSNSW ensures the safe and equitable management of inmates with disabilities in line with relevant state and federal legislation, and services and programs to inmates to meet their needs.

Within CSNSW, disability is a condition that:

- is attributable to an intellectual, psychiatric, sensory, physical or similar impairment or a combination of such impairments
- is permanent or likely to be permanent
- results in significantly reduced capacity in one or more major life activity such as communication, mobility, learning, decision making, self-care
- requires the need for support whether or not of an ongoing nature.

This policy governs the identification and referral of inmates with disabilities to CSNSW SDS as well as recording the existence and ownership of disability equipment used by the inmate.

1.2 State-wide disability services

SDS is the central point of contact for assessments and referrals for inmates with disabilities. SDS provides advice, training and consultation with staff in relation to services, appropriate management, and programs.

SDS can provide direct delivery of services, which include:

- assessment of some inmates with disabilities
- supply of equipment to assist with program participation and general living
- assistance to access the National Disability Insurance Scheme (NDIS).

Additionally, SDS provides collection and collation of statistical information on inmates with disabilities. SDS assists with the coordination of all referrals from CSNSW to NDIS for people with disabilities. Staff members must notify SDS at SDS-OSP@dcj.nsw.gov.au if:

- there is any evidence that an inmate has had previous contact with NDIS or currently has NDIS support and there is no reference to NDIS on the Offender Integrated Management System (OIMS) Disability Screen, or
- the staff member believes a referral to NDIS should be considered.

Staff can determine if contact has been made with NDIS by checking the OIMS Disability Screen under Disability > Status, where 'NDIS funded' will be listed.

SDS does not provide any services in relation to inmates whose only diagnosis is a mental illness. Referrals for such services must be made to Justice Health & Forensic Mental Health Network.

The contact details for SDS are: SDS Roundhouse, Long Bay Correctional Complex phone: (02) 9289 2136, fax: (02) 9289 2134, or email: SDS-OSP@dcj.nsw.gov.au

2 Offender integrated management system

2.1 OIMS disability screen

The OIMS *Disability* screen is used for the following:

- initial referral of an inmate with possible disability
- recording confirmation of assessment outcomes
- recording information about an inmate's disability status
- recording disability equipment issued to or returned by an inmate and.
- gathering and maintaining statistical information.

All referrals to SDS in the OIMS *Disability* screen automatically create a disability alert on the OIMS Alerts screen. The disability alert will automatically be deactivated if the person is assessed as not having a disability.

SDS will make an electronic request for service using the appropriate lines on the OIMS Inmate Programs and Evaluation Measures screen following referral information being entered on the OIMS *Disability* screen.

SDS will update the disability screen on verification and assessment of information about an inmate's disability.

The following are identified disabilities listed in the *New inmate lodgement & special instructions form* (includes the *Inmate Identification and Observation form* (IIO)), the OIMS *Intake Screening Questionnaire* (ISQ) and OIMS *Disability* screen:

- deaf/hearing impaired - requires deaf interpreter
- blind/vision impaired
- mobility/physical access
- autistic/autistic spectrum
- acquired brain injury
- dementia
- intellectual disability/low cognitive functioning
- communication/speech difficulties (to be entered by SDS only)
- equipment/facility recommendations (to be entered by SDS only)
- investigative interviews (to be entered by SDS only)
- special transport requirement (to be entered by SDS only)
- aged/frail (for all aged/frail people and all people over age 75 years) use Basic Aged Care Assessment Tool (BACAT).

2.2 Procedures for court security officers receiving inmates with disabilities

	Procedure	Responsibility
1.	When receiving lodgements concerning inmates with disabilities from police obtain all relevant information.	Officer in Charge (OIC) Court Cell
2.	Note and record on the <i>Lodgement</i> : <ul style="list-style-type: none"> any information relating to any court recommendations about the inmate's disability, and/or any special handling instructions or any other information about the disability that may be of relevance to escort or correctional centre staff. 	OIC Court Cell
3.	Note any special instructions from JH&FMHN on the disability alert screen of OIMS.	OIC Court Cell
4.	Promptly advise the placement officer of the details of the inmate's disability to enable special transport and placement requirements to be arranged.	OIC Court Cell

2.3 Procedures for placement of an inmate with a disability

	Procedure	Responsibility
1.	Consider the placement of the inmate at a correctional centre that will meet the security and disability requirements of the inmate.	Placement officer
2.	Arrange for the prompt transfer of non-ambulatory inmates to a correctional centre that meets their needs.	Placement officer
3.	Inform the CSNSW court officer at the correctional centre receiving the inmate.	Placement officer
4.	Advise the escort coordinator of the possible transport requirements for the inmate.	Placement officer
5.	Inform the JH&FMHN staff at the centre of placement of all available information pertaining to the inmate's disability.	Placement officer
6.	Advise the MOS/FM or most senior correctional officer in charge of the centre of placement, of the inmate's disability and any other available information.	Placement officer
7.	advise SDS: (02) 9289 2136 or SDS-OSP@dcj.nsw.gov.au of any urgent concerns.	Placement officer

2.4 Procedures during reception for inmates with a disability received from the police/court cells

	Procedure	Responsibility
1.	Check the disability screen in OIMS for a disability alert to ensure it accurately reflects the inmate's circumstances, if advised or it is observed an inmate may have a disability.	Reception/ screening officer
2.	<p>If a staff member believes that an inmate may have a disability:</p> <ul style="list-style-type: none"> • Enter a referral on the OIMS <i>Disability</i> screen; complete the first four fields of the Disability block. • Enter a comment in the comments field including: <ul style="list-style-type: none"> ○ description of the disability ○ any difficulties the inmate has managing in a custodial environment ○ if the inmate uses disability equipment, record ownership and condition of equipment. 	Reception/ screening officer
3.	Ensure there are no duplicate referrals for the same impairment.	Reception/ screening officer
4.	<p>Should there be any changes to the inmate's disability since the last assessment update the comment box in OIMS Disability screen and send an email to SDS-OSP@dcj.nsw.gov.au.</p> <p>Responses from SDS may include:</p> <ul style="list-style-type: none"> • provision of information regarding the nature of the inmate's disability • assistance with referral to services provided by NDIS and other disability service providers • ongoing contact by SDS with regard to the inmate's case management and placement • direct contact with the inmate. 	Reception/ screening officer
5.	<p>Review any recommendations by SDS indicating the inmate's specific disability in the Disability Sub-Type field.</p> <p>Note any recommendations for the ongoing management of the inmate in the Comment field.</p>	Reception/ screening officer

2.5 Correctional centres receiving an inmate with a disability on transfer from a correctional centre

	Procedure	Responsibility
1.	Check the OIMS Alerts screen when inmates are received into custody.	Reception/ screening officer
2.	Check the OIMS disability screen.	Reception/ screening officer
3.	Screen for disabilities as part of the reception process at either court cells or correctional centres.	Reception/ screening officer
4.	Note and record any disability information on the <i>Inmate Lodgement & Special Instruction Sheet</i> , the <i>Inmate Identification and Observation Form</i> .	Reception/ screening officer
5.	Complete the OIMS Intake Screening Questionnaire with any disability information disclosed by the inmate or observed by staff members.	Reception/ screening officer
6.	Place the paper work on the inmate's Case Management File. If there is any community medical documentation relating to disability, scan and email to SDS-OSP@dcj.nsw.gov.au .	Reception/ screening officer
7.	Enter a referral on the OIMS <i>Disability</i> screen together with a comment about why the referral is made, e.g. if the inmate has advised of the disability; the inmate is seen to have a disability; or documentation indicates the inmate has a disability.	Reception/ screening officer
8.	Ensure that there is a referral for each disability type.	Reception/ screening officer
9.	Ensure an email is sent to SDS-OSP@dcj.nsw.gov.au should there be any changes to the inmates disability since the last assessment update the comments box.	Reception/ screening officer

3 Escorting inmates with disabilities

3.1 Policy

The following procedures are to be adopted for the safe, secure movement of inmates with disabilities, including those using a wheelchair. It is not anticipated these guidelines will be able to cover every eventuality but should assist court, escort and correctional centre personnel meet their duty of care to inmates in these circumstances (**refer to COPP section 19 Escorts**).

If required, further information and assistance should be sought from SDS and/or JH&FMHN personnel and/or senior staff.

3.1 Procedures

	Procedure	Responsibility
1.	Obtain information from the inmate about their method of manoeuvring and/or seek advice from JH&FMHN staff.	OIC Escort
2.	Seek advice from the established contact medical personnel if required.	OIC Escort
3.	Obtain a suitable, secure form of transport.	OIC Escort
4.	Contact the escort coordinator who will determine and advise of appropriate action if the problems encountered may compromise the security of the escort or the safe transport of the inmate.	OIC Escort
5.	Brief escorting officers of any available information that may affect the safe transport of the inmate.	OIC Escort
6.	Call on additional officers for the loading, transport and unloading of inmates if required.	OIC Escort
7.	Implement individual standard procedures for escorting an inmate with a disability after initial reception.	OIC Escort
8.	Obtain authorisation from JH&FMHN or the SDS (where indicated on alert screen of OIMS) if special transport arrangements are required.	OIC Escort

3.2 Transfer of inmates with disabilities to other correctional centres

When Offender Classification and Placement recommends the transfer of an inmate with a disability to another correctional centre, it is to ensure the following occurs:

	Procedure	Responsibility
1.	Advise the MOS/Functional Manager (FM) of the recommendation for transfer, including all known information pertaining to mobility, transport, accommodation and general requirements of the inmate.	Placement Officer
2.	Advise JH&FMHN of the dispatching correctional centre so they may notify their counterparts at the receiving centre prior to the transfer.	Placement Officer
3.	Ensure the MOS/FM of the receiving centre is advised of any relevant information pertaining to the movement and management of the inmate concerned.	Placement Officer

3.3 MOS or FM

MOSs receiving advice of an inmate with a disability must ensure reception room officers, JH&FMHN staff, relevant Offender Services and Programs (OS&P) staff and accommodation area staff are advised of the inmate's circumstances and any reasonable adjustments for safe management of the inmate.

3.4 Service providers for disability equipment

EnableNSW (part of HealthShare NSW) is the current approved service provider responsible for the administration of NSW Health disability support and other assistance programs. EnableNSW provides equipment and services to people in NSW with chronic health conditions or disabilities to assist with mobility, communication and self-care.

Inmates may come into custody with equipment issued by EnableNSW.

- EnableNSW and JH&FMHN may assist in issuing disability equipment.
- JH&FMHN is responsible for obtaining equipment for inmates from EnableNSW.
- equipment supplied to inmates by EnableNSW is issued permanently and may be taken home by the inmate on release.
- equipment issued by JH&FMHN is generally returned on discharge, and must be entered on the inmate's OIMS property record and the equipment section of the OIMS disability screen.

The National Disability Insurance Scheme (NDIS) may fund some aids and equipment for inmates in custody. All NDIS funded equipment belongs to the inmate and should be recorded in both the inmates OIMS property record and the equipment section of the OIMS disability screen.

An inmate may be in receipt of an individual funding package which includes payment for disability equipment. Where the equipment has been purchased by the inmate and the equipment is easily portable (e.g. an electric wheel chair), the equipment may be brought into the correctional centre (subject to security inspection) and is then used by the inmate in custody.

Equipment supplied by SDS collected by the correctional centre must be returned to SDS either by internal mail or courier. The correctional centre must notify SDS via email: SDS-OSP@dcj.nsw.gov.au.

3.5 Records management

All documents relating to a disability are filed in the inmate's hardcopy Case Management File (CMF) stored at the correctional centre.

Additional documents from specialised services including psychometric assessments psychology information, consent to exchange information, Sensory Physical Screening Questionnaire (SPSQ), SDS or Services and Programs Officer (SAPO) services may be available in the relevant EDRMS container in the inmates electronic case file.

Some electronic containers are read only or restricted. More information is available by contacting SDS-OSP@dcj.nsw.gov.au.

4 Interviewing inmates with an intellectual disability

4.1 Policy

Inmates with cognitive impairment who lack capacity to fully understand an investigative interview must have a support person for the interview. When a support person is required it must be noted on the OIMS disability screen.

Inmates with cognitive impairment involved in interviews with personnel from investigative bodies operating within or external to CSNSW are to be provided with a staff member identified by SDS as a support person to assist them through such interviews. Contact SDS-OSP@dcj.nsw.gov.au.

When an investigator or delegated officer conducting an interview suspects the inmate may have a cognitive impairment or intellectual disability but has not been formally assessed, a support person must be arranged through SDS.

The role of the support person is to:

- help the inmate understand the investigation process
- facilitate communication during the course of interviews
- answer any queries the inmate may have about the investigation process and the roles of persons taking part in an investigation
- assist the inmate in understanding the questions asked by an investigating officer.

4.2 Procedure for audio visual link for inmates with a disability

When an inmate identified with either a physical, sensory or intellectual disability is scheduled to appear before the court or other professional matters via Audio Visual Link (AVL) the Officer in Charge (OIC) must:

	Procedure	Responsibility
1.	Check OIMS <i>Alerts</i> screen for any disabilities.	OIC AVL
2.	Review OIMS <i>Disabilities</i> screen and action any relevant recommendations made by SDS.	OIC AVL
3.	If a sign language interpreter is required, access CSNSW <i>Quick links: Interpreter services</i> to make the necessary arrangements.	OIC AVL
4.	Arrange to transfer the inmate to a correctional centre where access to an AVL studio can be facilitated if an inmate is identified as having a physical disability (e.g. wheelchair user) and is unable to access the AVL studio at the correctional centre where they are housed.	MOS/FM
5.	Inform all of the participating studios of the inmate's support needs.	OIC AVL

5 Quick links

- [Related COPP](#)
- [Forms and annexures](#)
- [Related documents](#)

6 Definitions

AVL	Audio Visual Link
BACAT	Basic Aged Care Assessment Tool
CJP	Community Justice Program
CMF	Case Management File
COPP	Custodial Operations Policy and Procedures
Delegated officer	Any officer who occupies or acts in the following positions which the Governor has delegated certain Governor's functions to deal with correctional centre offences: <ul style="list-style-type: none"> • Manager of Security • Functional Manager.
Disability	As defined under the <i>Disability Inclusion Act 2014</i> , a disability is 'in relation to a person includes a long-term physical, psychiatric, intellectual or sensory impairment that, in interaction with various barriers, may hinder the person's full and effective participation (in the community) on an equal basis with others'.
EDRMS	Electronic Document Record and Management System
FM	Functional Manager
IIO	Inmate Identification & Observation
ISQ	Intake Screening Questionnaire
JH&FMHN	Justice Health & Forensic Mental Health Network
LOPs	Local Operating Procedures
MIN	Master Index Number
MOS	Manager of Security
NDIS/A	National Disability Insurance Scheme/Agency
OIC	Officer in Charge
OIMS	Offender Integrated Management System
OS&P	Offender Services and Programs
SAPO	Services and Programs Officer
SDS	State-wide Disability Services
SPSQ	Sensory Physical Screening Questionnaire

7 Document information

Business centre:	Custodial Operations
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Version	Date	Reason for amendment
1.0		Initial publication (<i>Replaces section 6.13, 7.25, 8.32.10, 8.38 of the superseded Operations Procedures Manual</i>)
1.1	29/04/19	Removed references to Ageing, Disability and Home Care, and updated information on NDIS referrals
1.2	12/03/20	General formatting update and improvements
1.3	23/04/21	Amended definition of 'disability' in part 1.1 <i>Identification and referral</i>
1.4	18/08/23	Update in line with CSNSW restructure: deletion of reference to Security and Intelligence (S&I).
