

## Custodial Operations Policy and Procedures

### 10.1 Visits to inmates by family and friends

#### Policy summary

Corrective Services NSW (CSNSW) recognises the value of visits between inmates and their families and friends, the importance of maintaining significant relationships, and the need to facilitate contact within the security confines of the correctional system.

Visitors to inmates in correctional centres will be required to provide appropriate and sufficient forms of identification prior to the issue of a Visitor Identification Number (VIN).

#### Management of Public Correctional Centres Service Specifications

Service specifications	Decency and respect
	Rehabilitation and reintegration

## 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 Visits to inmates by family and friends

## 1.1 Policy

An unsentenced inmate may receive one visit on reception, and thereafter they may be visited twice weekly. Sentenced inmates may receive a visit, and then as often as the governor of the correctional centre determines.

Visits and visit procedures are approved by the governor of the correctional centre and subject to appropriate staffing arrangements, suitable facilities and security considerations.

The following criteria apply to inmate visits:

- Only visitors with appropriate identification will be permitted to enter the visits section of a correctional centre, for the purpose of visiting with an inmate.
- If a person is under 18 years of age they may visit an inmate only if they are accompanied by a responsible adult.
- A visitor may not visit more than one inmate at a time except where the governor of the correctional centre gives approval.
- A CSNSW custodial officer may require a visitor to submit to a search in accordance (**refer to COPP section 17.3 Stop, detain and search of visitors and staff**).
- An inmate may refuse to receive a visitor (other than a government official engaged in official duties).
- All maximum and medium security inmates must be strip-searched, and minimum security inmates may be randomly strip-searched, after each visit (**refer to COPP section 17.1 Searching inmates and 7.3 Searching female inmates**).
- Under special circumstances, and on the recommendation of a Services and Programs Officer (SAPO), an extra contact visit between an inmate and a family member or friend may be arranged subject to the governor's approval. Such contact visits are additional to normal entitlements.
- A person who requires to be accompanied by an assistance animal eg: guide dog, is permitted to enter a correctional centre with the assistance animal for the purpose of a visit to an inmate or any other type of visit outlined in **COPP section 10 Visits to correctional centres** and the **Disability Discrimination Act 1992**.

For information on visits to inmates who are designated Extreme High Security (EHS), Extreme High Risk Restricted (EHRR), National Security Interest (NSI), AA and Category 5 (**refer to COPP section 3.5 HS, EHS, EHRR, NSI, AA and Cat 5**).

## 2 Identification requirements

### 2.1 Initial identification requirements

To prove their identity to CSNSW, an adult visitor needs to provide either:

- one proof of identity document from List 1 below
- three documents from List 2, one of which shows the person's current residential address.

#### List 1

One of the following primary forms of identification:

- a current photo driver licence issued by any State or Territory of Australia
- a Proof of Age card available from NSW Roads and Maritime Services (RMS)
- a current passport or one that has expired within two years
- any current photo identification issued by a Government Department or Authority.

#### List 2

Any three of the following secondary forms of identification:

- original or extract of a birth certificate
- electoral roll enrolment card or other evidence of enrolment
- public utility record issued within six months of the date of intended visit e.g. a telephone, gas or electricity bill, water rates, council rates or land valuation notice
- current vehicle or boat registration papers
- marriage certificate
- Australian naturalisation or citizenship document or immigration papers issued by the Commonwealth
- current entitlement card issued by an Australian Federal or State Government Department or Authority
- credit or debit card with the holder's signature.

If a visitor can't produce the appropriate forms of identification, the governor (delegate) of the correctional centre may permit the person to visit an inmate. In this case, it would be appropriate to facilitate a non-contact box visit. The visit should be a one-off occurrence with the proviso that the appropriate forms of identification be produced at any subsequent visit.

Proof of identification for a child visitor is not required. However, where the responsible accompanying adult is able to provide identification with respect to the child visitor's age, details of the proof of identification document must be recorded on the visitor form.

## 2.2 Allocation of VIN

On the initial occasion that a person visits an inmate in custody they will be allocated a VIN, provided they produce appropriate forms of identification. An electronic record of the visitor's personal details will be created on the OIMS visitor database.

A VIN must not be issued unless the officer allocating the VIN is satisfied as to the person's identification, their place of residence and that they have a proper reason for their visit to the correctional centre.

## 2.3 Biometric identification device

Where a Biometric Identification Device (BID) is installed, each visitor's fingerprints and image will be recorded.

If a visitor has previously satisfied the initial identification requirements and subsequently received a VIN but has not had their fingerprint template and image captured on a BID, there is no need for the initial process of identification to be repeated unless the officer enrolling the visitor on the BID cannot be satisfied as to the identity of the person claiming the VIN.

In these circumstances, the officer must satisfy themselves as to the identity of the VIN holder by referring to the identification details recorded in OIMS at the time the VIN was issued. Enrolment on the BID will require the visitor to remove any face covering (**refer to subsection 2.6 Removal of face-covering**).

## 2.4 Subsequent and ongoing identification

The identification of a visitor at any subsequent visit can be via the production of a primary/secondary form of identification or via a BID.

Where the visitor's fingerprint template and image are stored in the BID, a visitor will not need to produce any identification to secure a visit. The visitor will need to complete a *Visitor information* form and give it to the visits officer to have their details verified against the BID database. Any visitor who enters via BID verification must also pass through the BID prior to leaving so that their identity is verified again.

As the BID and the OIMS are not linked, officers working in the visits area must verify the visitor's details in OIMS to ensure that prohibited or restricted visitors are identified. All forms of identification and/or proof of residential address must be the same as those recorded for the visitor in OIMS.

Where a BID is not installed, the identification required for any subsequent visit will be:

- one primary form of identification or the ability to verify the residential address recorded on the OIMS, or
- one secondary form of identification with a current residential address, which must match the one recorded on the OIMS.

Verification of the visitor's identity may require the visitor to remove any face covering (**refer to subsection 2.6 Removal of face-covering**).

## 2.5 Visitor information forms

Officers working in visits areas are to check that:

- all visitors record their personal information correctly on the *Visitor information* form
- all visitors present acceptable forms of identification with the visitor information form. These details will be entered into the OIMS on the initial occasion that the visitor attends a correctional centre to visit an inmate. On subsequent visits the details provided in the *Visitor information* form will be verified with data in OIMS
- information relating to a child visitor, e.g. name, age, gender and relationship to the inmate are correctly recorded on the *Visitor information* form
- there is nothing noted in OIMS preventing the child from visiting the inmate.

*Visitor information* forms must be retained at the correctional centre as they may be required in the event of legal proceedings.

If a visitor's name or residential address changes, the visitor's record on the OIMS is to be amended accordingly. Staff should not create either a new VIN or record. The previous details will be recorded as history under the current VIN.

Proof of the change of details must be sighted prior to amendment in OIMS. Visitors should be informed that identification required for further visits must correspond with the new details recorded in OIMS.

## 2.6 Removal of face-covering

A visitor may be required to remove face covering to verify the identity of the person on both entering and exiting the correctional centre.

For the purposes of this policy, 'face' means a person's face from the top of the forehead to the bottom of the chin, and between (but not including) the ears.

A face covering means any item of clothing, helmet, mask or any other thing that is worn by a person and prevents the person's face from being seen (whether wholly or partly).

Requests for visitors to remove face coverings worn for religious reasons must be carried out in a sensitive manner and in accordance with the following procedures:

The correctional officer must:

- ask for the visitor's cooperation and explain why it is necessary to view their face
- carry out the viewing in a way that affords reasonable privacy for the visitor (e.g. use an adjoining office area) if the visitor requests privacy
- conduct the viewing as quickly as is reasonably practicable
- if the visitor requests it, arrange for the visitor's face to be viewed by an officer of the same sex as the visitor or, if an officer of the same sex is not available, by another person of that sex at the direction of the correctional officer.

It is only necessary for the visitor to remove so much of the face covering that prevents their face from being seen.

If the visitor wearing a face covering is under 12 years of age, they may be asked to remove their face covering only if a person responsible for the child is present during the viewing. The viewing should be carried out by a female correctional officer if the responsible person requests it and, if a female correctional officer is not available, a female person at the direction of the correctional officer.

It is not an offence to refuse to remove a face covering when requested to do so by a correctional officer. Failure to do so may result in the visitor not be admitted to the correctional centre due to an inability to verify their identity. Refusals to remove a face covering should be referred to the governor, Manager of Security (MOS) or Functional Manager (FM) to determine if a visit will proceed.

If the governor, MOS or FM decides to refuse the visit or to vary a contact visit to a non-contact box visit, they must report the incident in OIMS in the *Incident Reporting Module (IRM)* under *Miscellaneous Incident*.

A person refused a visit under such circumstances may appeal in writing to the governor if they have special justification for not removing a face covering, such as a legitimate medical reason.

## 2.7 Procedures for visits to correctional centres

	Procedure	Responsibility
1.	Ensure that a Local Operating Procedure (LOP) is in place for inmates to be brought to the visiting section at the allotted time ( <b>refer to COPP section 21.8 Local operating procedures</b> )	Governor
2.	Check that the visitor's identity (through an approved form of identification or the BID system) and provide a visitor identification form	Authorised officer
3.	Check OIMS to ensure the visitor is entered in the OIMS and has a registered VIN. If not, create one	Authorised officer
4.	Check any OIMS alerts and restrictions to confirm the visit may proceed, including any restrictions on child visitors	Authorised officer
5.	Process the visit in OIMS in the appropriate format	Authorised officer
6.	Process visit as per the LOP and the security classification of the inmate	Authorised officer
7.	Search and return inmate to their accommodation unit at the completion of the visit, as per policy and any LOP	Authorised officer
8.	Positively identify the visitor at the completion of the visit before allowing them to exit the facility.	Authorised officer



## 3 Conditions for visits

### 3.1 Use of toilet facilities by visitors in maximum and medium security centres

Visitors are not permitted to use toilet facilities during visits to inmates in medium and maximum security correctional centres. If visitors must leave the visits area to use the toilet, the visit is terminated.

Visitors to medium and maximum security correctional centres who need access to toilet facilities for medical reasons are required to complete an *Application for special medical consideration*, and produce a medical certificate in support of their application.

This special consideration may also be for the purpose of taking medication (**refer to subsection 3.2 Visitor's medication**). Where an application for special medical consideration to use toilet facilities is approved, visitors are permitted to continue the visit following use of toilet facilities, provided they are re-screened prior to re-entry into the visit area. Correctional centres are required to review all approved applications annually.

If children need to use toilet facilities during a visit (in medium and maximum security correctional centres) and need to be accompanied by an adult visitor, the visit may be continued after re-screening prior to re-entry into the visiting facility. In such cases, the visitors should be given priority to re-enter the visits area, time permitting.

### 3.2 Visitor's medication

A visitor must submit an *Application for special medical consideration* if they have a medical condition that requires them to take medication during the visit. The application must be accompanied by a medical certificate which specifies the duration for which the special consideration is required.

Where the medical condition is ongoing, the medical certificate will need to be renewed every 12 months. Visitors must be made aware that the medical certificate may be verified with the issuing doctor or specialist.

A person is permitted to be in possession of, or carry drugs and/or an Epipen for medication purposes into a correctional centre if the medication is:

- contained in its original packaging, and is clearly labelled as prescribed to the person carrying it, or the medication is accompanied by a prescription made out to the person carrying it, or by a letter from the prescribing doctor
- stored securely in a vehicle or locker, for medications other than an Epipen
- in the case of an Epipen, retained by the authorised person, subject to inspection by staff on entry to and egress from the visits area.

Where an application for special medical consideration is approved, visitors are permitted leave the visits area to access their medication, provided they are re-

screened prior to re-entry into the visit area. Correctional centres are required to review all approved applications annually.

### 3.3 Procedures for special medical consideration

	Procedure	Responsibility
1.	Contact the medical practitioner to verify the medical certificate	Authorised officer
2.	Consider visitor application for approval and return to visits area to be recorded	Governor
3.	Access Authorised Visitors module in OIMS: <ul style="list-style-type: none"> <li>• access the <i>Visitor Restrictions</i> screen of the Authorised Visitor</li> <li>• under '<i>Restriction Type</i>' choose '<i>governor's restriction</i>'</li> <li>• in '<i>Summary Text</i>' note the approval of the application along with the expiry date</li> </ul>	Authorised officer
4.	Place the original application in a file at the visits area	Authorised officer
5.	Notify the applicant of the decision made by the governor	Authorised officer
6.	Forward a copy of the application and the original medical certificate to the applicant as soon as practicable.	Authorised officer

### 3.4 Visiting hours and duration

Visiting hours and duration of visits are at the discretion of the governor of the correctional centre and subject to any minimum requirements provided in the *Crimes (Administration of Sentences) Regulation 2014*.

The governor must ensure that inmate visits are for the duration of the advertised times, except in circumstances where safety and security of the correctional centre prevent this.

### 3.5 Clothing worn by inmates

During contact visits all inmates in maximum and medium security correctional centres must wear overalls without pockets, zippered and secured at the back.

Inmates are required to wear underpants underneath the overalls during a visit. Boxer shorts are not permitted except for medical reasons, documented by a medical certificate issued by the Visiting Medical Officer (VMO).

Inmates must be supervised when exchanging their clothing for visit overalls. The overalls are to be checked for damage and/or serviceability before and after each visit.

Inmates in minimum security centres are not required to wear overalls, and may wear their standard correctional centre clothing on a visit.

### **3.6 Dress standards for visitors**

Due to variation in climate across the state, and individual tastes and views about what is deemed acceptable and unacceptable, there is no policy on an acceptable standard of dress for inmate visitors. For these reasons, a decision about a visitor's standard of dress is to be made by the governor, MOS or FM, or officer acting in one of these capacities.

If the Officer in Charge (OIC) of inmate visits is of the view a person is inappropriately dressed they are not to automatically refuse entry to the visitor.

In the first instance, the OIC is to contact the governor, MOS or FM to ask them to attend the location where the visitor is waiting and make their own assessment of the person's dress. The criteria to be used in deciding the issue is the effect of the visitor's dress on the security and good order of the correctional centre.

If the decision is that the visitor's attire does not adversely affect the security or good order of the correctional centre, then the visit may proceed. If the decision is that the visitor's dress is inappropriate, then in a private area and in a manner that respects the visitor's dignity, the governor, MOS, FM or officer acting in one of these capacities must explain to the visitor why they are refusing the visit.

The visitor must then be given the opportunity to change or adjust their dress and if it is then acceptable, the visit should be allowed.

If the visitor is unable or unwilling to adjust their dress and the visit is refused a written report must be submitted and the incident recorded in OIMS *Incident Reporting Module* (IRM) under *Miscellaneous Incident*. The report must include a detailed description of the visitor's dress and why it was deemed inappropriate.

### **3.7 Disposal of food following visits**

Items of food and drink not consumed during a visit are to be disposed of prior to the inmate leaving the visit area. No food or drink can be taken back to the inmate's accommodation unit.

## **4 Visits to inmates in police or court cells**

### **4.1 Policy**

Most police and court cells managed by CSNSW are not physically suitable for family visits. In addition, there are other constraints that would preclude family visits including; court attendance, security, and staff supervision. However, an inmate who is being held at a police or court cell may receive family visits if approved by the correctional officer who is the OIC of the facility.

## 4.2 Procedures

The OIC of the police/court cell complex may approve a visit when:

- there are adequate and secure facilities
- there is sufficient supervisory personnel
- the operations of the cells would not be adversely affected
- the visitors are scanned with a metal detector.
- the same policies and procedures apply to a family visit in a police or court cell as they do in a correctional centre.

If these conditions cannot be met, then the visit must not be approved.

## 5 Forms and annexures

[A guide to visitor restrictions and prohibitions](#)

[Application for special medical consideration](#)

## 6 Related COPP

[3.2 Protective custody](#)

[3.4 Segregation](#)

[3.5 HS, EHS, EHRR, NSI, AA and Cat 5](#)

[3.6 Extreme treat inmates](#)

[7.3 Searching female inmates](#)

[17.1 Searching inmates](#)

[17.3 Stop, detain and search of visitors and staff](#)

[17.4 Internal secretion of contraband](#)

[21.8 Local operating procedures](#)

## 7 Related documents

[Crimes \(Administration of Sentences\) Act 1999](#)

[Crimes \(Administration of Sentences\) Regulation 2014](#)

[Disability Discrimination Act \(Commonwealth\) 1992](#)

[Management of Public Correctional Centre Service Specifications](#)

## 8 Definitions

Authorised officer	The officer authorised by the governor to perform the functions prescribed as part of the Custodial Operations Policy and Procedures.
BID	Biometric Identification Device
COPP	Custodial Operations Policy and Procedures
CRI	Criminal Record Inquiry
CSNSW	Corrective Services NSW
EHRR	Extreme High Risk Restricted
EHS	Extreme High Security

FM	Functional Manager
IRM	Incident Reporting Module
JH&FMHN	Justice Health and Forensic Mental Health Network
LOP	Local Operating Procedure
MOS	Manager of Security
NSI	National Security Interest
OIC	Officer in Charge
OIMS	Offender Integrated Management System
RMS	Roads and Maritime Services
SAPO	Services and Programs Officer
VIN	Visitor identification Number
VMO	Visiting Medical Officer

## 9 Document information

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