

3 May 2016

TERMS OF REFERENCE FOR A CASE REVIEW OF THE MANAGEMENT OF PRISONER [REDACTED]

Background

On 29 February 2016 sentenced prisoner [REDACTED] commenced Tie-down Bed (TDB) restraint as a response to identified ongoing risk following three incidents of serious self-harm the week prior. [REDACTED] is serving a sentence of [REDACTED]
[REDACTED]
[REDACTED]

The Ombudsman has raised some matters of concern with [REDACTED] treatment and as a result I have determined that the management of [REDACTED] should be fully investigated by the Chief Inspector of Corrections.

The Investigation

The investigation team will be led by Chief Inspector Andy Fitzharris. The investigation will have access to all relevant information, documentation, premises and persons pertaining to the events, and may, with the approval of the Chief Inspector call such additional or specialist assistance as may be appropriate.

The investigation is to be completed by the end of June 2016.

Terms of Reference

1. To investigate and report on the management of [REDACTED] during the period of 27 February to the present. More specifically to review:
 - Rationale of commencement and continuation of TDB restraint protocols,
 - All actions taken by staff since identification of [REDACTED] risk including stakeholder engagement, consultation and management oversight,
 - Reference to relevant international and domestic law,
 - Evidence of the application of available practice guidance,

- A timeline and details of discussions between [REDACTED] and staff relating to the management plan and ongoing conduct of TDB restraint protocols,
- Management oversight including procedures, delegations, instructions and decisions of Managers involved,
- Details of escalations and actions taken by management both within the Department and externally, including information on who was involved, how and what critical points were identified, when these were escalated, and responses to escalations,
- Details of advice and discussions between Mental Health experts and management addressing the identified self harm risk,
- Any other relevant information that arises during the review.

The Department will provide weekly updates to the Chief Ombudsman on action undertaken in the previous week, as well as access to any information and premises as requested by the Office of the Ombudsman. The Department's review does not limit any action that the Chief Ombudsman may decide to take in relation to his independent investigation and inspection roles.



Ray Smith
Chief Executive
Department of Corrections