

Custodial Operations Policy and Procedures

9.9 Inmate complaints

Policy summary

Inmates may make complaints, and these must be managed fairly, effectively and resolved in a timely manner. Inmates must not be penalised, victimised, or suffer retribution for raising a complaint.

CSNSW staff are responsible for accepting, progressing, and where possible, addressing complaints. Inmates must be advised on how they can make a complaint, and where required, provided with support.

There are several avenues for inmates to make complaints and a complaint can be made verbally and/or in writing. How a complaint is managed will vary depending on the type of complaint that is being made by the inmate.

Inmates must be advised of the outcome of their complaint. Where an inmate is not satisfied with the management of their complaint or the outcome, they may request an internal review. The inmate can also, at any time, submit a complaint to an external review body.

Management of Public Correctional Centres Service Specifications

Service specifications	Decency and respect
	Professionalism and Accountability

Scope

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

Table of contents

1	Inmate complaints	4
1.1	Policy	4
1.2	Advice and/or support about making a complaint	4
1.3	How complaints can be made	5
1.4	Where complaints can be directed	5
1.5	Procedures for verbal complaints	6
1.6	Procedures for written complaints	7
2	Types of requests or complaints	8
2.1	Requests to speak to the Governor	8
2.2	Complaints to the Minister or Commissioner of CSNSW	8
2.3	Complaints to the Official Visitor or Ombudsman	9
2.4	Medical complaints	9
2.5	Inmate complaints alleging staff misconduct	9
2.6	Confidentiality with these types of complaints	10
3	Quick links	11
4	Definitions	11
5	Legislation	13
6	Document information	14

1 Inmate complaints

1.1 Policy

Inmates may make complaints, and these must be managed fairly, effectively and resolved in a timely manner. Inmates must not be penalised, victimised or suffer retribution for raising a complaint. Vexatious or malicious complaints may be referred to the Governor or Custodial Director for appropriate action to be considered.

There are several avenues that inmates have to make complaints, verbally and/or in writing, either by paper based or e-forms, and there are differences with how complaints are managed based on the type of complaint that is being made by the inmate.

Effective complaints management contributes to the safety and security of the correctional centre and can minimise inmate unrest where concerns are acknowledged and addressed in an appropriate and timely manner.

CSNSW staff are responsible for accepting, progressing and where possible, addressing complaints. Inmate complaints may relate to various issues regarding their incarceration, including, but not limited to:

- unfair treatment or discrimination
- unreasonable decisions (e.g., access or participation in programs)
- delays in services or information
- incomplete or inaccurate information
- living conditions and accommodation standards
- issues with personal belongings
- access to health, psychology, programs or education
- access to things, such as visits, phone calls, mail, or amenities
- concerns regarding welfare, care, hygiene
- issues with daily routines
- issues with buy-ups
- issues with food (e.g., quality or quantity supplied).

1.2 Advice and/or support about making a complaint

Inmates must be advised how they can make a complaint. Inmates are initially provided with this advice during reception screening (e.g., Inmate information booklet or the *Want to make a complaint in custody?* information sheet).

However inmates must also be advised on how to make a complaint and provided with support as required (e.g., by providing them with information about how to make a complaint, providing them with a copy of the [Want to make a complaint in custody?](#) Information sheet).

Where inmates require support to make a complaint, they must be referred for assistance, or provided with appropriate information as required, such as where the inmate:

- **Is from a culturally linguistically diverse background:** and does not speak or has difficulties understanding English. Staff are to arrange for a Translator or Interpreter Service (TIS National) (refer to **COPP 11.1 Language services** for further information). The *Want to make a complaint in custody?* information sheet is also [available in other languages](#).
- **has literacy issues, or a cognitive impairment:** refer the inmate to a support person to be provided or support services arranged (refer to **COPP 6.9 Inmates with disabilities** for further information).

A support person may include a non-custodial staff member, such as a Services and Programs Officer (SAPO), a Regional Assistance Support Officer (RAPO) (where the inmate is Aboriginal), or a Chaplain.

The role of the support person is to help the inmate understand the complaints process, answer any queries they may have, facilitate communication during complaint resolution, and assist the inmate in understanding the questions asked by a staff member attempting to resolve the complaint.

1.3 How complaints can be made

Inmates have options for raising a complaint, including (but are not limited to):

- verbally to CSNSW staff
- in writing to CSNSW staff using a paper-based *Inmate application form*, or electronically via an eForm using their offender tablets (refer to COPP section 9.1 *Inmate applications and requests*).
- by calling the Corrective Services Support Line (CSSL) via the CADL (refer to COPP 9.7 *Corrective services support line*)
- in writing to the Commissioner of Corrective Services NSW (e.g., by letter)
- in writing to the Minister for Corrections (e.g., by letter)
- verbally or in writing to external oversight bodies (i.e. The Official Visitor, Ombudsman, Independent Commission Against Corruption, refer to **COPP 9.6 Inmate complaints to the Ombudsman** and **COPP 10.8 Visits from officials, agencies and professionals**)
- Via phone to the Sexual Misconduct Reporting Line via CADL (#32) to report allegations of sexual misconduct by staff in custody
- via phone to an external reporting line such as the Independent Commission Against Corruption via CADL (#7) – to report corrupt conduct by a NSW public official.

1.4 Where complaints can be directed

CSNSW has three main levels for managing complaints received, including (but not limited to):

1. **CSNSW staff:** Where possible and appropriate, complaints should be resolved by CSNSW staff locally. If the person who has received the complaint is unable to resolve it (e.g., does not have the delegation or authority, or is unsure how to resolve it), they can refer it to their supervisor (e.g., Functional Manager (FM)) or an alternative staff member for action.
2. **Internal review:** Where an inmate is not satisfied with the management of their complaint or the outcome, they may request an internal review by:

- submitting an *Inmate application* form to the FM, Manager of Security (MOS) or Governor of the correctional centre
 - by requesting to see the Governor
 - by contacting CSSL via CADL #1.
- 3. External review:** The inmate can, at any time, submit a complaint to an external review body. If an inmate has had a complaint reviewed by CSNSW staff and requested an internal review and are still not satisfied with how their complaint has been managed or the outcome, they can be directed to refer a complaint to the external oversight bodies (e.g. NSW Ombudsman or Official Visitor).

Where possible and appropriate, complaints should be dealt with locally and as informally as possible.

A written record must be made for any complaints that require further escalation that are received verbally or informally. For example, where a complaint should be managed formally and/or requires escalation, inmates must submit an *Inmate application* form.

If an inmate refuses or is reluctant to submit an *Inmate application* form, the complaint may still be escalated, if necessary, based on information provided. Refer to subsection **1.5 Procedures for verbal complaints** and subsection **2.5 Inmate complaints alleging staff misconduct**.

Minor complaints that are made verbally and do not require escalation are not required to be recorded. Examples of minor complaints that can be resolved locally may include (but are not limited to):

- property issues that can be resolved and do not relate to damage or loss.
- phone issues (e.g., not enough funds or a need for phone numbers to be added)
- requests for hygiene items (e.g., toothbrush, soap etc.)
- clothing or bedding issues (e.g., request for new items, or damaged items)
- requests for OIMS reports (e.g., property or trust account report).

Where a complaint is made, details of the complaint should only be shared with relevant people on a need-to-know basis (e.g. for the resolution of a complaint).

Some types of complaints may warrant referral to the Professional Standards and Investigations (PSI) or NSW Police (refer to subsection 2.5).

1.5 Procedures for verbal complaints

	Procedure	Responsibility
1.	Receive inmate complaint and: <ul style="list-style-type: none"> • assess if and how the complaint may be resolved. • determine if the complaint requires referral. • determine if the complaint can be resolved informally, or whether an <i>Inmate application</i> form should be submitted by the inmate. 	Correctional Officer/Assigned Officer
2.	Take appropriate action required, such as: <ul style="list-style-type: none"> • if no action is required and the complaint has been resolved, advise the inmate how and why the complaint has been resolved. 	Correctional Officer/Assigned Officer

	Procedure	Responsibility
	<ul style="list-style-type: none"> any action that can be taken to resolve the complaint informally where required. referral of the complaint to a supervisor (e.g., FM) or another appropriate person for action if required. <p>Advise the inmate to submit an <i>Inmate application</i> form (either via paper-based form or eForm) where required.</p>	
3.	<p>Advise the inmate of the outcome:</p> <ul style="list-style-type: none"> the complaint has been resolved and how, or the complaint cannot be resolved and why. <p>Inform the inmate of alternative avenues to make a complaint if necessary.</p>	Correctional Officer/Assigned Officer

1.6 Procedures for written complaints

This procedure is for processing written complaints received via eForm or paper based (e.g., *Inmate application* form or letter).

	Procedure	Responsibility
1.	<p>Receive inmate complaint and:</p> <ul style="list-style-type: none"> assess if and how the complaint may be resolved. determine if the complaint requires referral. 	Correctional Officer/Assigned Officer
2.	<p>Take appropriate action:</p> <ul style="list-style-type: none"> Ensure the <i>Inmate application</i> is registered in the <i>Inmate application register</i> if it is a paper-based form (refer to COPP 9.1 Inmate applications and requests). Refer the complaint on to a supervisor (e.g., FM) or other appropriate person where required. Ensure a record is made of when and to whom a complaint is referred to (e.g., record this information in the <i>inmate application register</i>). <p>If the complaint is received on an item such as a letter, this letter can be attached to an inmate application and a record created accordingly as per COPP 9.1 Inmate applications and requests.</p>	Correctional Officer/Assigned Officer
3.	<p>Investigate the complaint and resolve within 14 days, where possible.</p> <p>If the complaint can be resolved without further action, advise the inmate that the complaint has been resolved and how.</p>	Correctional Officer/Assigned Officer
4.	<p>Record a summary of the outcome. If the complaint was made via:</p> <ul style="list-style-type: none"> paper-based form: record the outcome in the inmate application register. 	Correctional Officer/Assigned Officer

	Procedure	Responsibility
	<ul style="list-style-type: none"> an eForm: record the outcome on the OTAB Command platform. 	
5.	<p>Advise the inmate of the outcome:</p> <ul style="list-style-type: none"> complaint has been resolved and how, or complaint cannot be resolved and why. <p>Inform the inmate of alternative avenues to make a complaint if necessary.</p> <p>If the complaint is submitted via eForms, inform the inmate of the outcome/response via the OTAB Command platform.</p>	Correctional Officer/Assigned Officer
6.	<p>Complaints received in a correctional centre:</p> <ul style="list-style-type: none"> Physical complaint record: Save a copy of the complaint to the inmate's electronic Case Management File (CMF) and place the original on the physical CMF. If the inmate complaint was made via an <i>Inmate application</i>, ensure the <i>Inmate application register</i> is updated to note the outcome. E-form: If application or request is submitted via eForms, the OTAB Command platform will automatically save these electronically within the system. Inmates can see their submitted applications and actions taken on the offender tablets. 	Correctional Officer/Assigned Officer

2 Types of requests or complaints

2.1 Requests to speak to the Governor

An inmate may request, verbally or in writing, to speak to the Governor. The Governor must be advised as soon as possible of any request made by an inmate to speak with them. The Governor may be advised verbally, by email, or by providing them with the written inmate's request.

The Governor must give the inmate an opportunity to speak with them on the day the request is conveyed or made, or as soon as practicable after that day.

The Governor must inform the inmate of any action they have taken, or propose to take, or that no action will be taken.

2.2 Complaints to the Minister or Commissioner of CSNSW

An inmate in a correctional centre may make a complaint in writing to the Minister or CSNSW Commissioner regarding (but not limited to):

- the inmate's treatment in the centre, or
- the administration or management of the centre.

This complaint can be made orally or in writing. An inmate can place a complaint in a sealed envelope to the Minister or the CSNSW Commissioner direct and this must be forwarded on to the addressee without being opened.

Where a complaint is not provided in a sealed envelope, a correctional officer must refer the complaint to the Governor.

If the complaint relates to a matter that the Governor can resolve, the Governor:

- should resolve the complaint, where possible and as soon as practicable, and
- may as part of action taken, provide a recommendation to the Commissioner, and
- must make a written record of the complaint and all action taken. This must include advice regarding any recommendation(s) made to the Commissioner, and
- must ensure the record is available for inspection by the person that the inmate wished to make a complaint to. If/when the person attends the correctional centre, and/or where they request it, the record is to be provided to them.

If the complaint is resolved, the inmate must be advised. If the complaint cannot be resolved, it should be referred to the person that the inmate has requested the complaint go to.

2.3 Complaints to the Official Visitor or Ombudsman

The Governor is responsible for creating and maintaining a booking system that allows inmates to book a visit with the Official visitor and/or Ombudsman when they attend the centre (refer to **COPP 10.8 Visits from officials**).

On request by an inmate to see either of these agencies, CSNSW staff must assist or provide the information to the inmate to place their name on the booking system.

The NSW Ombudsman can also be contacted in writing or via CADL (dial #8) (refer to **COPP 9.6 Inmate complaints to the Ombudsman** and **COPP section 10.8 Visits from officials, agencies and professionals**).

2.4 Medical complaints

Complaints about medical treatment should be directed to the Nursing Unit Manager (NUM) or Nurse in charge of the health centre.

If the complaint cannot be resolved locally inmates are able to contact the Chief Executive Officer of Justice Health and Forensic Mental Health Network (Justice Health NSW) in writing or use the OTS to contact the Health Care Complaints Commission Inquiry Line via CADL (Dial #17).

2.5 Inmate complaints alleging staff misconduct

CSNSW staff have an obligation to report matters that could constitute a criminal offence or other misconduct.

If a correctional officer receives a complaint from an inmate regarding a staff member that could constitute a criminal offence or misconduct, it must be immediately reported to an officer more senior in rank, including the FM, the Manager of Security (MOS), or the Governor.

The correctional officer may make the report to another correctional officer that is more senior in rank in lieu of the FM, MOS or Governor if preferred.

The officer who receives the report from the other officer must report the matter to the Professional Standards and Investigations (PSI) if they believe that it constitutes, or would constitute, a criminal offence, or if it may constitute staff misconduct. Examples of misconduct can include (but are not limited to):

- bullying, violent or intimidating behaviour
- excessive use of force
- corrupt conduct
- access to or misuse of confidential information
- assault

A link to PSI referral form can be found on the CSNSW intranet page > Staff misconduct and reporting.

Regardless of any internal reports made, an officer may report a matter to the NSW Police via the Corrective Services Investigation Unit (CSIU). The CSIU is staffed by sworn officers from NSW Police and can be contacted on [REDACTED] or via email [REDACTED]

Once an allegation has been received by the Governor or MOS in charge of a correctional centre they must inform the relevant Custodial Director. If there is a reason for the Director not to be informed (e.g. conflict of interest, close associate of the subject officer) then the relevant Assistant Commissioner is to be informed.

2.6 Confidentiality with these types of complaints

Certain complaints have limited confidentiality, in that other business units may need to be made aware of the complaint, for example PSI or NSW Police.

Inmate complaints regarding alleged staff misconduct are to be managed confidentiality, and only those areas or persons required to know the information advised, such as PSI or NSW Police.

Inmates must be advised that complaints of a serious nature that may constitute a criminal offence or misconduct will need to be reported.

3 Quick links

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

4 Definitions

Assigned Officer	<p>Assigned officer refers to either:</p> <ul style="list-style-type: none">• an individual officer or• an officer who is in a position (substantive or temporary) or a post that the Governor (or Manager of Security in Charge of a Correctional Centre) has assigned to perform a particular duty or task. The Governor (or MOS in charge) may delegate the role of assigning officers to perform duties to a Managers of Security, Functional Managers or Senior Correctional Officers or other officers who have direct reports. Assignment to a duty or task may be provided in Local Operating Procedures (LOPs), Statement of Duties, Local Orders, Post Duties, verbally or may be implied as a logical extension of the officer's post, position, or role.
CADL	Common Audio Dial List
CSSL	Corrective Services Support Line
CSNSW	Corrective Services NSW
CSSL	Corrective Services Support Line
Exempt bodies and persons	<p>An exempt body includes (<i>per clause 3 of the CAS Reg</i>):</p> <ul style="list-style-type: none">• NSW Ombudsman (CADL #8)• NSW Judicial Commission• NSW Crime Commission• NSW Law Enforcement Conduct Commission (CADL #19)• NSW Anti-Discrimination Board• NSW Civil and Administrative Tribunal (NCAT)• NSW Information and Privacy Commission• NSW Legal Aid Commission (CADL #11)• Independent Commission Against Corruption (CADL #7)• Inspector of Custodial Services• The Office of the NSW Legal Services Commissioner• Commonwealth Ombudsman (CADL #13)• Australian Human Rights Commission• Australian Criminal Intelligence Commission• Office of the Australian Information Commissioner (OAIC)• Under policy, the <i>Commonwealth Department of Social Services (to facilitate the National Redress Scheme [CADL #31])</i> and the <i>Abuse</i>

	<p><i>in Care Royal Commission of Inquiry – New Zealand</i> are to be treated as an Exempt Body.</p> <p>An exempt person includes (per clause 3 of the CAS Reg):</p> <ul style="list-style-type: none"> • Member of Parliament • Legal Practitioner • Police Officer
FM	Functional Manager
Governor	Includes a Governor, MOS in charge of correctional centre, or General Manager in charge of a court cell location
Justice Health NSW	Justice Health and Forensic Mental Health Network
MOS	Manager of Security
OIC	Officer in charge: the on-duty ranking correctional officer who is in charge of the correctional centre in the absence of the Governor, e.g. manager of security or night senior.
OTS	Offender Telephone System
OTAB	Offender Tablets
PSI	Professional Standards and Investigations
SMRL	Sexual Misconduct Reporting Line

5 Legislation

<u>Crimes (Administration of Sentences) Act 1999 No 93</u>	<u>Section 79 - Regulations</u>
<u>Crimes (Administration of Sentences) Regulation 2014</u>	<u>Clause 3 – Exempt persons and exempt bodies</u> <u>Clause 51 – Complaints about correctional centre food</u> <u>Clause 165 – Notice of availability of Official Visitors</u> <u>Clause 166 – Complaints and inquiries</u> <u>Clause 167 – Reports by Official Visitors</u> <u>Clause 168 – Request to Governor</u> <u>Clause 169 – Request to Commissioner, Minister or Official Visitor</u> <u>Clause 170 – Complaints to Minister or Commissioner</u> <u>Clause 171 – Mischievous complaints</u> <u>Clause 172 – Inmates to check personal property and records</u> <u>Clause 173 – Pre-release interviews</u> <u>Clause 253 - Reporting of misconduct by correctional officers</u> <u>Schedule 2 – Correctional Centre offences</u> <u>Division 1, Schedule 5 – Inmates to be notified of rights and obligations</u>
<u>Ombudsman Act 1974 No 68</u>	
<u>Inspector of Custodial Services Act 2012 No 55</u>	<u>(Part 4, section 20 Protection against retribution)</u>
<u>Public Interest and Disclosures Act 2022 No 14</u>	<u>(Division 2 Detrimental Action)</u>

6 Document information

Business centre:	Statewide Operations, Security and Custody	
Approver:	Leon Taylor (Deputy Commissioner Security and Custody)	
Date of effect:	18 December 2025	
EDRMS container:	18/6983	
Version	Date	Reason for amendment
1.0	18/12/2025	Initial publication