

## Custodial Operations Policy and Procedures

### 4.3 Management of stored property

#### Policy summary

All recordable inmate property surrendered or delivered to the reception room/property officer must be recorded on the Offender Integrated Management System (OIMS).

Storage of inmate's property must be kept to a minimum and reception and accommodation staff should monitor the amount of property inmates may accumulate in the correctional centre.

Strict limits to the amount of property an inmate may have must be adhered to due to limited storage space and logistical issues with transporting property with inmates. Any excess property is to be disposed of in line with COPP 4.6 or confiscated.

Regular stock-takes of inmate property must be carried out for quality control purposes

#### Management of Public Correctional Centres Service Specifications

Service specification	<p>Safety and Security</p> <p>Decency and Respect</p> <p>Professionalism and Accountability</p>
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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 Management of stored property

## 1.1 Policy

All recordable inmate private property surrendered or delivered must be properly recorded on OIMS.

The property records on OIMS must contain the following information:

- a reasonable description of each property item
- date received
- all transactions of the property i.e. stored, issued to cell, disposed etc.

Storage of inmate property must be kept to a minimum and reception and accommodation staff monitor the amount of property inmates may accumulate in the correctional centre. An inmate with excess property must be told to arrange to have it collected from the centre, or pay to have it couriered from the centre, or, after 90 days, it will be disposed of.

Strict limits to the amount of property an inmate may have must be adhered to due to limited storage space and logistical issues regarding transporting property with inmates.

Inmates may use an *Inmate Request* form to access stored property after reception. The Authorised Officer may notify the inmate for an appointment. Requests for access are limited to one per fortnight, or at the discretion of the Authorised officer.

## 1.2 Processing inmate property

Inmate private property must be processed and validated in accordance with local operational requirements and, wherever possible, in the presence of the inmate except in the event of:

- death
- emergency medical procedures
- escape of an inmate
- release from court
- urgent transfer of an inmate without notice.

# 2 Stored property

## 2.1 Conditions and restrictions

The inmate property store/reception room is available to store the minimum amount of property that an inmate needs during their period of custody. It is not to be used to store issued items that are no longer required by the inmate for daily use.

The Authorised Officer of the inmate property store/reception room must ensure that inmates only keep property as prescribed in limits and controls. Flammable items must not be kept in any storage area or in any storage container.

Except for clothing required for court appearances and approved items delivered by post or a common carrier the Authorised Officer must not accept any property belonging to an inmate that was not brought into custody or obtained while in a correctional centre.

The Authorised Officer may also permit inmates to keep the following property in storage for short periods:

- items issued to the inmate and under their control that may cause the inmate to be at risk of intimidation
- educational, art and craft, and hobby materials until they are collected by family, friends or another approved person and
- items issued to the inmate and under their control, if the inmate is sent to another centre for a short period.

## **2.2 Storage security**

Local managers must ensure inmate property is stored securely, and must establish auditable systems to control access to any storage areas.

All inmate property managed in inmate property store/reception room must be secured in numbered, sealed containers.

## **2.3 Standard storage containers**

The standard storage tub is the only container approved for the storage of inmate property. The weight of a storage tub is not to exceed 15kg. All property tubs must be weighed and clearly labelled accordingly for Work Health and Safety reasons.

Storage tubs must not be issued for use in accommodation areas without the approval of the OIC Property Store/Reception Area.

Tubs kept in inmate property store/reception room must not contain perishables, or items that attract vermin. These items may be carried in tubs during transfer but must be removed before the tub is stored.

The Authorised Officer must not keep storage tubs in excess of the minimum required for the efficient operation of the inmate property store/reception room.

**All empty tubs must be returned to the Metropolitan Remand and Reception Centre (MRRC).**

## **2.4 Other storage containers**

Private clothing may be stored in canvas or hang up bags but must be transferred only in canvas bags. All other containers must be clearly labelled with the inmate's name, MIN, storage location identification, and OIMS container identification number.

### **Televisions**

Televisions are to be stored and transferred in the original packing container if it is available. During transfer, television containers are only to contain a television set,

remote control, aerial and coaxial cable. Where no packing material is available, inmates will be allowed to pack a towel or doona cover or similar item around the television to prevent damage. The Authorised Officer must ensure that no other property is packed into a packing container used for televisions.

Cell property must only be transferred in standard property tubs.

## **2.5 Excess property**

When inmates are required to dispose of excess property, they may elect to have it destroyed or donated (via the Governor or delegate). Property may not be transferred to another inmate.

Excess property is not to be transferred with an inmate if s/he is transferred prior to the disposal of such property. This property is to be transferred on OIMS to the Governor/OIC for disposal to the storage facility.

## **2.6 Prisoners Aid Storage Facility**

The Prisoners Aid Association (PAA) operates a storage facility to assist inmates. However, PAA do not collect property from correctional centres, and property may not be sent from a correctional centre to a PAA storage facility. Details about the operation of these facilities can be found on the Community Corrections intranet site:

<https://intranet.internal.justice.nsw.gov.au/Divisions/Pages/divisions/corrective-services-nsw/community-corrections/Funded-Partnerships-Initiative-Team/funded-partnership-initiative/Inmate-Property-Service-IPS.aspx>

## **2.7 Sealed storage containers**

Sealed storage containers may only be opened to:

- issue stored property into the control of the inmate
- receive property under the control of the inmate for storage (including during transfer)
- transfer to another centre
- verification and stock take procedures
- dispose of property to family, friends, or an approved community representative and
- dispose of property at discharge.

At a correctional centre, the only persons authorised to break seals are the Governor/OIC and the Authorised Officer(s) of the inmate property store or reception.

At a court cell complex the OIC:

- is the only person authorised to break the seals on the storage containers
- may dispose of property to family, friends, or a community representative, but may not issue property to an inmate and
- must not approve disposal of part of an inmate's valuables.

If an inmate requests disposal of valuable property, all stored valuable items must be transferred to the person/s receiving the property.

No property is to be issued from any storage to any person unless the OIMS record is adjusted accordingly.

When property is disposed or transacted to another person at any location the Authorised officer must identify the person to whom the property is given and obtain a signed receipt for the property.

## **2.8 Security seals**

Security seals must be purchased from the approved contractor. The OIC Property Store/Reception is responsible for controlling the storage and use of security seals.

## **2.9 Damaged seals**

At any time a property storage seal is found to be damaged, the Authorised Officer must:

- verify the contents and reseal the container and
- report any difference between the OIMS record and the contents of any such container opened for verification to the Governor/OIC.

The Governor must investigate the report. If the discrepancies still exist or the value of the missing items exceeds the Governor's/OIC's authorisation to replace missing property, the respective Director, Custodial Operations is to be notified in writing.

The Authorised Officer must adjust the OIMS record and prepare an *Inmate Property List* for the inmate. Authorised Officer, an officer assisting, and the inmate must sign this list.

# **3 Stored property limits and control**

## **3.1 Policy**

Any inmate property under the control of CSNSW is stored property. Stored property may be valuable or general.

Property storage is limited to 2 storage tubs per inmate. The weight of a single storage tub must not exceed 15kg.



### 3.2 Volume restrictions for private clothing storage

A set of clothing may consist of the following items:

Male	1	Jacket
	1	Shirt
	1	Trousers/Jeans
	1	Pair Shoes/Boots
	1	Tie
	1	Belt
	1	Hat/cap
	1	Jumper/Cardigan
Female	1	Jacket
	1	Blouse
	1	Skirt/Dress/Slacks/Jeans
	1	Pair Shoes/Boots
	1	Scarf
	1	Belt
	1	Hat/cap
	1	Jumper/Cardigan

### 3.3 Number of sets that may be kept in storage

External students	5
Sentenced inmates	1
Unsentenced inmates	2
Vocational/industrial training inmates	5
Work release inmates	5

These limits may be changed by the OIC Property Store/Reception Area according to inmate needs or storage capacity.

### 3.4 Access to stored private clothing

Inmates are not permitted to wear private clothing except in the following circumstances:

	PRIVATE CLOTHING	CENTRE CLOTHING
Court appearance by AVL	When appearing before a jury only	All other AVL court appearances
Court appearance	✓	
Day/weekend leave	✓	
External studies	✓	
Hospital/medical escort		✓
Inter-centre escort		✓
Inter-centre visit		✓
Police interview		✓
Temporary leave	General Manager/OIC's discretion	
Vocational/industrial training outside the centre	✓	
Work release	✓	
Civil inmates	General Manager's discretion	✓

Inmates appearing at court must be offered the opportunity to wear their private clothing to court. Court clothes should be stored in hang up bags, where possible. If sufficient notice is provided of the date of the court appearance, inmates must be given the opportunity to launder and iron their private clothing to be worn to court.

On the date of the court appearance, inmates who have chosen to wear their private clothing are to change into their private clothing before being transported to the court.

However, inmates can choose to wear CSNSW issued clothing (i.e. greens) to court. Private clothing cannot be mixed with issue clothing for any reason.

Inmates appearing at court via audio visual link are to wear issue clothing, except when appearing before a jury (refer to COPP **20.4 AVL for legal and court matters**).

When private clothing is issued for use, or returned to storage, it must be itemised, and the destination recorded on the OIMS property record.

Inmates are not permitted to add to their private property when returning to custody from court. Any additional property discovered must be confiscated.

### 3.5 Access to stored valuable property

Inmates may be issued with a plain wedding band and a wristwatch for use when in custody provided neither item is valued over \$50.

Inmates attending court may not have access to any valuable property other than that issued under this section.

When inmate property is sent out of CSNSW control for any reason the destination and receiving person/agency must be recorded on the OIMS.

## 4 Accountability of inmate private property

### 4.1 Authorised officer responsibilities

The Authorised officer of the inmate property store/reception room must:

- ensure that the OIMS data entry, OIMS property records, and physical property checking procedures minimise error creation and discover existing errors
- audit the work performance of anyone using the OIMS to record inmate movements and property to prevent the following common errors:
  - inaccurate and/or incorrect property descriptions
  - no explanations about error corrections and;
  - OIMS data record and property items not recorded.

### 4.2 Cyclic stock-take of stored property

The OIC/Authorised officer of the inmate property store/reception room must complete regular stock-takes of all stored inmate property in line with the schedule.

Whenever an inmate's property is verified during a stock-take, an entry must be made on the OIMS property module recording the reason for the verification.

A report of the stock-take outcome is to be provided to the Governor or OIC of the centre.

#### Stock-take schedule

	Monthly minimum	Maximum complete stock-take
Valuable property	25% of all stored property	4 months
Stored property	10% of inmate population	10 months

Unsealed containers must be verified using the OIMS property record and then sealed.

### 4.3 Quality control

At correctional centres, the OIC/Authorised officer is responsible to monitor the management of all operations of the inmate property store/reception room.

At all other places of detention, this is the responsibility of the officer in charge or the most senior officer on duty.

The OIC/Authorised officer must

- complete stock takes according to the schedules in this policy
- report to the Governor/OIC about the workload of the inmate property store/reception room each month and check 10% of all OIMS entries each day.

#### Quality control schedule

	Monthly requirement
Valuable property	10% of property stock-take
Stored property	10% of property stock-take

All property identified for a quality control check must be unsealed and verified using the OIMS, and in the presence of the inmate. A *Transaction/Disposal Report* must be generated from OIMS for all checks. The supervisor/OIC, and one officer assisting, must sign each report.

The OIC/Authorised officer must report the stock-take and quality control process to the Governor/OIC every month.

## 5 Error correction

### 5.1 Policy

When the OIC/Authorised officer of the inmate property store/reception room becomes aware that there is an error in any inmate OIMS records, the errors must be corrected immediately.

Under no circumstances are errors to be passed on to other centres.

If an error cannot be corrected immediately, action must be taken to resolve the error as soon as possible.

### 5.2 Missing property or property damaged in transit

When any stored property cannot be located or the inmate claims the property has been damaged in transit from another location, the Authorised Officer must change the OIMS property record to show that it is missing or damaged and record an explanation in the comments screen for the items.

The owner must be informed that the property is missing as soon as possible.

If the owner does not want the property replaced, the Authorised Officer must obtain a *Waiver for damaged/misplaced property* from the inmate and change the OIMS record to show that the item is disposed. The inmate disclaimer must be stored in a dedicated EDRMS folder.

### **5.3 Local investigations into missing or damaged property**

The Governor/OIC of the centre will task the OIC Property Store/Reception (or another officer) to resolve missing or damaged property enquiries.

When property cannot be located or if the property is damaged, the OIC Property Store/Reception must report to the Governor/OIC of the centre about the enquiry including:

- records relating to the property;
- action taken to locate the property;
- representations made by the owner for compensation; and
- any review of existing procedures.

The Governor/OIC must determine liability for any damage to or loss of property. The Governor/OIC may replace missing or damaged property or authorise payment of compensation. Claims for compensation of less than \$1,000 are to be managed locally.

If the amount claimed is for more than \$1,000 the claim may be referred to the relevant Custodial Director for a claim to be made to the organisation's insurers.

When property is replaced or compensation made the OIC Property Store/Reception must change the OIMS property record to show the replacement or compensation paid.

It should be noted the insurer reserves the right to make their own enquiries into the circumstances of the loss, and the value of the property, before paying the claim.

### **5.4 Corrections Executive Services and Complaints Management (CESCM) investigations into missing or damaged property complaints**

On occasions inmates write to the Commissioner or the NSW Ombudsman regarding property that is missing or has been damaged during transfer between correctional centres or court cell complexes. Such complaints are referred to the CESCM.

The CESCM will undertake an enquiry to locate the property or establish responsibility for providing compensation in cases where it can't be located or has been damaged.

The CESCM will send a request for advice to the inmate's current location in the first instance. That centre will conduct a local investigation as outlined in subsection 5.2

above. The results of the investigation must be communicated to the CESCМ as soon as possible, and no more than one week after receipt of the request.

If the property is not found, the CESCМ will send a request for advice to the centre where the inmate was previously held. That centre will conduct a local investigation as outlined in subsection 5.2 above. The results of the investigation must be communicated to the CESCМ as soon as possible.

If the property is still not found, the CESCМ will seek advice from the Court Escort Security Unit (CESU).

In the case of property damaged in transit, The CESCМ will first seek advice from the dispatching centre. If that centre can confirm that the property was not damaged prior to transport, and if it was receipted as damaged at the receiving centre, the matter will be referred to the CESU.

The issue of compensation for lost or damaged property is to be decided by the CESCМ in consultation with the Governor/OIC.

## **5.5 Investigations to locate missing property**

The OIC Property Store/Reception is responsible for resolving missing property inquiries.

When property cannot be located, the supervisor/OIC must report to the Governor/OIC about the inquiry including:

- records relating to the property
- action taken to locate the property
- representations made by the owner for compensation
- any review of existing procedures.

The Governor/OIC must determine liability for the loss of property. The Governor/OIC may replace missing property or authorise payment of compensation if the amount claimed is within their financial delegation.

Any payment of compensation must be reported to the respective Director, Custodial Operations.

If the amount claimed is outside the Governor's/OIC's delegation it must be referred to the Finance and Asset Management Branch for advice.

When property has been replaced or compensation made the OIC Property Store/Reception must change the OIMS property record to show the replacement or compensation paid.

## 6 Inmate property applications

### 6.1 Policy

Inmate property applications are the responsibility of the OIC Property Store/Reception.

Only the supervisor/OIC of the inmate property store/reception room is authorised to make decisions on requests made by inmates about their property. All other staff may make recommendations only.

Appeals about decisions can be made by application to the Governor/OIC of the correctional centre.

## 7 Quick links

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

## 8 Definitions

Authorised Officer	The officer authorised by the governor to perform the functions prescribed as part of the Custodial Operations Policy and Procedures
CESCM	Corrections Executive Services and Complaints Management
CESU	Court Escort Security Unit
COPP	Custodial Operations Policy and Procedures
PAA	Prisoners Aid Association

## 9 Document information

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