

## Inspector of Custodial Services releases a report on the Long Bay Correctional Complex

The Inspector of Custodial Services (ICS) has examined conditions and treatment for people in custody at Long Bay Hospital (LBH) and the Metropolitan Special Programs Centre (MSPC). A newly released report also looks at the treatment of people with disability, aged and frail people and LGBTIQ+ people in custody. The report makes 45 recommendations.

We found the area known as LBH 1 to be a modern, secure, fit for purpose hospital-style facility consisting of a declared mental health unit, medical unit and an aged care unit. LBH is a key location for the Justice Health and Forensic Mental Health Network (JH&FMHN), delivering specialist inpatient and outpatient health services to people in custody across NSW. A separate area known as LBH 2 bears no resemblance to a hospital. It is currently used to hold remand inmates.

The MSPC opened in 1909. It houses maximum, medium and minimum security inmates and includes units with support services for aged and frail inmates, inmates with physical, intellectual and cognitive disability and mental illness. It is also a location for intensive programs for sex and violent offenders. We found the infrastructure of MSPC and LBH 2 to be 'dilapidated, unsafe, and not fit for purpose' and 'incapable of providing safe and humane conditions' and recommends these facilities be permanently closed.

We were impressed with the work of Corrective Services NSW's Statewide Disability Services (SDS) team and has recommended that SDS is resourced to meet the high demand for disability support among people in custody. However, in the decade since our *Old and Inside* report was published in 2015,<sup>1</sup> little has been done to provide more fit for purpose accommodation for the growing number of aged and frail people in custody. There is now an urgent need for suitable facilities.

Decisions regarding the placement of transgender people in custody are complex and it is critical that CSNSW has a policy framework that provides decision makers with clarity and supports timely decisions. We found that CSNSW policies and procedures on the management of transgender and intersex people in custody were inconsistent with staff practice and did not address the management of people entering custody after altering records of sex pursuant to amendments made by the *Equality Legislation Amendment (LGBTIQ+) Bill 2024*. The policy is now under review.

This inspection is the second time we have examined intensive programs for violent offenders and sex offenders delivered at MSPC.<sup>2</sup> We observed few improvements during this inspection. Improving the recruitment and retention of psychologists is essential to ensure eligible sex offenders complete programs before they are released from custody.

The ICS was established in October 2013 to provide independent oversight of the NSW custodial system. The ICS is required to inspect each adult custodial facility in NSW every five years and may also examine and review any custodial service at any time. The ICS must report to the NSW Parliament on each such inspection, examination, or review. The ICS does not investigate individual complaints. The report is available at: Inspector of Custodial Services <https://inspectorcustodial.nsw.gov.au/reports-and-publications/inspection-reports/adult-reports.html>

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<sup>1</sup> Inspector of Custodial Services, *Old and Inside: Managing Aged Offenders in Custody* (Report, September 2015) <https://inspectorcustodial.nsw.gov.au/reports-and-publications/inspection-reports/adult-reports/old-and-inside-managing-aged-offenders-in-custody.html>.

<sup>2</sup> See Inspector of Custodial Services, *Programs, Employment and Education Inspection* (Report, February 2020) <https://inspectorcustodial.nsw.gov.au/reports-and-publications/inspection-reports/adult-reports/programs-employment-and-education.html>.