

Inquest into the death of Scott Matthew O'Connor

Scott Matthew O'Connor died at the Arthur Gorrie Correctional Centre on 22 January 2013 as a result of hanging. Mr O'Connor was an inmate at the Maximum Security Unit. He hanged himself by fashioning a ligature from a piece of sheet which he tied to the mesh roof of the exercise yard. At the time, the CCTV camera in the exercise yard was covered and had been covered since the previous day. Although Mr O'Connor was assessed as being at high risk of self harm he was not observed as required by the risk assessment team.

State Coroner Terry Ryan delivered his findings of inquest on 14 August 2015.

The Queensland Government responds to recommendations directed to government agencies at inquests by informing the community if a recommendation will be implemented or the reason why a recommendation is not supported.

Further information relating the implementation of recommendations can be obtained from the responsible agency named in the response.

Recommendation 1

That the Arthur Gorrie Correctional Centre must ensure, and the agency remind all centres to ensure, that each risk assessment team must, as part of its decision making, determine the adequacy of cell infrastructure, specific risks presented by proposed accommodation, and make recommendations about the suitability of any current or proposed cell accommodation for at-risk prisoners and, where appropriate or necessary, make recommendations for the centre to appropriately mitigate against any inherent risks present in the cell infrastructure which are unable to be avoided.

Response and action: the recommendation is implemented.

Responsible agency: Department of Justice and Attorney-General.

On 29 February 2016 the Minister for Police, Fire and Emergency Services and Minister for Corrective Services responded:

A deputy commissioner's instruction was issued instructing the risk assessment team members, including the correctional supervisor, to consider the at-risk prisoner's accommodation area as part of their assessment.

Recommendation 2

Arthur Gorrie Correctional Centre management carry out an audit of hanging points, and ensure that officers involved in risk assessment team meetings (including both operational and health professionals) are aware of those risks so that strategies may be put in place to mitigate against those risks.

Response and action: the recommendation is implemented.

Responsible agency: Department of Justice and Attorney-General.

On 29 February 2016 the Minister for Police, Fire and Emergency Services and Minister for Corrective Services responded:

Arthur Gorrie Correctional Centre conducted an audit of hanging points in early 2014. The centre also developed a cell infrastructure guide for the risk assessment team (RAT). This guide is a reference for RAT members of the cell and unit infrastructure that has evolved over the life of the centre, with differing design variants. The guide contains a photograph of the cell type, the floor plan, the risks due to infrastructure, mitigations strategies suitable for this cell type and hanging points. The general manager's directive 'at-risk management (self harm/suicide)' outlines the requirement for all non-custodial members of the risk assessment team to undertake an infrastructure inspection. The purpose of this investigation is to all the RAT to determine the adequacy of cell infrastructure and specific risks presented by the cell and unit when making future placement decisions.

Recommendation 3

The agency install covert microphones in the Arthur Gorrie Correctional Centre (AGCC) master control, and in the AGCC Maximum Security Unit master control, if and when it is reopened.

Response and action: the recommendation is implemented.

Responsible agency: Department of Justice and Attorney-General.

On 29 February 2016 the Minister for Police, Fire and Emergency Services and Minister for Corrective Services responded:

Queensland Corrective Services recently installed covert microphones in all control rooms at Arthur Gorrie Correctional Centre that did not previously have them. This included the Maximum Security Unit control room and master control room.

Recommendation 4

The agency install closed circuit television in the Arthur Gorrie Correctional Centre Maximum Security Unit master control room, if and when it is re-opened.

Response and action: the recommendation is implemented.

Responsible agency: Department of Justice and Attorney-General.

On 29 February 2016 the Minister for Police, Fire and Emergency Services and Minister for Corrective Services responded:

Queensland Corrective Services installed CCTV cameras in all control rooms at Arthur Gorrie Correctional Centre that did not previously have them. This included the Maximum Security Unit control room and master control room.

Recommendation 5

The agency conduct a review such that officers especially rostered to undertake observations should be persons who are familiar with the prisoner the subject of the observation regime or, if that is not possible, a person who is extremely au fait with at-risk indicators.

Response and action: the recommendation is implemented.

Responsible agency: Department of Justice and Attorney-General.

On 29 February 2016 the Minister for Police, Fire and Emergency Services and Minister for Corrective Services responded:

Queensland Corrective Services reviewed of the Maximum Security Unit procedures, relevant attachments and guidelines.

The four progression guidelines (stages 1 – 4) previously referred were retitled 'Progression instructions' with a disclaimer that a deviation from this instruction may only be approved by the general manager of the facility and that the following must occur:

- a detailed risk assessment must be conducted
- any approved deviation must be clearly documented in the prisoner's Maximum Security Unit management plan
- the deputy commissioner, statewide operations must be advised prior to the commencement of the deviation.

Progression through each stage is reviewed by the Maximum Security Unit management team which consists of at a minimum:

- general manager and / or deputy general manager of the corrective services facility
- Maximum Security Unit manager / supervisor
- intelligence advisor
- psychologist or officer nominated by the general manager or deputy general manager of the corrective services facility
- at least one Maximum Security Unit corrective services officer.

Recommendation 6

The agency conduct a review such that the psychologist who undertakes an assessment of an at-risk prisoner ought to be present at the risk assessment team meeting, unless the psychologist attending is also familiar and current with the prisoner under consideration.

Response and action: the recommendation is implemented.

Responsible agency: Department of Justice and Attorney-General.

On 29 February 2016 the Minister for Police, Fire and Emergency Services and Minister for Corrective Services responded:

Queensland Corrective Services reviewed the at-risk management (self harm/suicide) procedure and in turn issued a deputy commissioner's instruction (DCI). The DCI instructs psychologists who conduct the assessment of the at-risk prisoner that they should attend the risk assessment team meeting in person, and that where personal attendance is not possible, the nominee who attends in their absence should also be familiar with the prisoner being reviewed.

Recommendation 7

Arthur Gorrie Correctional Centre must ensure that risk assessment team meeting members ought not make determinations without the actual observations logs for a prisoner presently under a regime of observations and under consideration. 'Chinese whispers' style summaries of observation logs are apt to be insufficient to allow risk assessment team meetings to make fully informed decisions.

Response and action: the recommendation is implemented.

Responsible agency: Department of Justice and Attorney-General.

On 29 February 2016 the Minister for Police, Fire and Emergency Services and Minister for Corrective Services responded:

Arthur Gorrie Correctional Centre reviewed the at-risk management (self harm/suicide) procedure and from this a general manager's directive was issued requiring the observation logs to be brought to the risk assessment team meetings by the correctional supervisor.

Recommendation 8

The agency conduct a review such that supervisors from the at-risk prisoners' accommodation area are involved in the risk assessment team meeting and, in addition, that these supervisors are sufficiently addressing the issue of environment risks for each at-risk prisoner discussed at the relevant risk assessment team meeting.

Response and action: the recommendation is implemented.

Responsible agency: Department of Justice and Attorney-General.

On 29 February 2016 the Minister for Police, Fire and Emergency Services and Minister for Corrective Services responded:

Queensland Corrective Services undertook a review of the at-risk management (self harm/suicide) procedure and in turn issued a deputy commissioner's instruction (DCI).

The DCI provides that correctional supervisors from the at-risk prisoner's accommodation area should be involved in the risk assessment team meeting in person, and where personal attendance is not possible, the nominee who attends in their absence should also be familiar with the person being reviewed.

The DCI also instructed that the correctional supervisor provide a report containing a recommendation on where a prisoner should be placed including any recommendations to address any environmental risks (i.e. removal of hanging points).

Recommendation 9

Arthur Gorrie Correctional Centre review its rostering to identify officers who have spent extended periods of time exclusively on night-shifts and exclusively in master control positions, and act to ensure that those officers are provided with varied rosters to ensure broader ongoing centre experience, for the safety of those officers and prisoners.

Response and action: the recommendation is implemented.

Responsible agency: Department of Justice and Attorney-General.

On 29 February 2016 the Minister for Police, Fire and Emergency Services and Minister for Corrective Services responded:

Arthur Gorrie Correctional Centre reviewed the custodial correctional officers' rosters to ensure officers gain broader ongoing centre experience.

Recommendation 10

Consideration be given for disciplinary action in respect of:

- a. Custodial Correctional Officer Lumsden for:
 - i. either deliberately or recklessly certifying in the observations log that he had undertaken observations when he could not possibly have done so, and
 - ii. informing Mr Ohlin that he had undertaken observations of prisoner O'Connor when he could not possibly have done so.
- b. Maximum security unit supervisors Mr Mareales and Mr Patterson for failing to ensure that the closed circuit television in the exercise yard of prisoner O'Connor's cell was uncovered.

Response and action: the recommendation is implemented.

Responsible agency: Department of Justice and Attorney-General.

On 29 February 2016 the Minister for Police, Fire and Emergency Services and Minister for Corrective Services responded:

In response to first part of the coroner's recommendation, the GEO Group Australian Pty Ltd trading as Arthur Gorrie Correctional Centre (AGCC) established a policy regarding the discipline of employees. The policy, *Disciplinary procedures and guidelines*, provides a comprehensive guide for managers in handling disciplinary matters so that when disciplinary action is implemented, the action will not be deemed harsh, unjust or unreasonable taking both the substantive as well as the procedural issues applying to the particular disciplinary matter.

In response to parts i and ii, the AGCC undertook the appropriate disciplinary action where required with regards to the officer in question.

In response to the second part of the coroner's recommendation, the AGCC undertook the appropriate disciplinary action where required with regards to the officers in question.

Recommendation 11

Arthur Gorrie Correctional Centre provide training on the management of at-risk prisoners to all relevant staff, including (without limitation):

- a. Training to ensure that all officers in the centre are current with their suicide prevention.
- b. Training to ensure officers understand the necessity for handover documents to contain comprehensive information. Those documents have much greater utility if the comments fields are populated with, even brief, relevant information, which could assist officers. Officers should be reminded of the purposes of these sheets and exemplar entries for the commentary section of those forms should be circulated to officers such that they may properly understand the kind of depth to which they are expected to condescend in completing these forms.
- c. Training to ensure that proper development of at-risk management plans by responsible officers. In this case there were no entries in the accommodation section.
- d. Training to ensure proper and vigilant implementation by officers required to comply with at-risk management plans. In this case, it directed a cell search for self-harm objects, however the bird cage cover was allowed to remain and with that prisoner O'Connor harmed himself.
- e. Training to ensure that all psychologists and mental health staff are aware of all relevant environment risks when conducting risk assessments.

- f. Training to ensure proper completion of the document titled Instruction - at risk prisoner by relevant staff.

Response and action: the recommendation is implemented.

Responsible agency: Department of Justice and Attorney-General.

On 29 February 2016 the Minister for Police, Fire and Emergency Services and Minister for Corrective Services responded:

Response to part one of the coroner's recommendation: the Arthur Gorrie Correctional Centre (AGCC) established training plan which outlines all the training to be conducted within a calendar year to ensure the required training standards are maintained. Suicide awareness theory and practical training are part of the annual training plan.

Response to part two of the coroner's recommendation: the AGCC developed an *At-risk management training manual* which assists and guides the risk assessment team (RAT) (both custodial and non-custodial) as well being a tool for all staff in all aspects of the at-risk process. The manual outlines the requirement to use the observation log- at-risk prisoner, a comprehensive handover document regarding the prisoner's behavioural observations. AGCC amended the at-risk briefing to include the requirement to complete the behavioural observation section of the observation log – at-risk prisoner. The training utilising this manual commenced from 27 June 2014.

Response to part three of the coroner's recommendation: the AGCC developed an *At-risk management training manual* which assists and guides the RAT (both custodial and non-custodial) as well being a tool for all staff in all aspects of the at-risk process. AGCC has also developed an *At-risk management infrastructure guide* which is designed to assist the RAT with decision making regarding the adequacy of cell infrastructure and the specific risks presented by specific accommodation units and cells. The manual outlines the requirement of the RAT to consider and document where each prisoner being considered will be accommodated and having this documented in the at-risk management plan and instruction – at-risk prisoner.

Response to part four of the coroner's recommendation: the AGCC developed an *At-risk management training manual* which assists and guides the RAT (both custodial and non-custodial) as well being a tool for all staff in all aspects of the at-risk process. The manual outlines that officers must comply with both the at-risk management plan and instruction – at-risk prisoner. AGCC has also developed an at-risk briefing document. This briefing document supplements a verbal briefing provided by the correctional manager, security prior to an observation officer attending the post. An officer is required to receive, read and understand the instruction – at-risk prisoner upon taking up an observation post. Upon completing these activities the officer is required to sign the instruction – at-risk prisoner to signify that they understand the management regime for the prisoner.

Response to part five of the coroner's recommendation: the general manager of AGCC approved a general manager's directive for at-risk management (self harm/suicide) on 2 December 2013.

As part of this directive there is a requirement for all non-custodial members of the RAT to be taken on an inspection of each cell within the centre.

Response to part six of the coroner's recommendation: AGCC has developed an *At-risk management training manual* which assists and guides the RAT (both custodial and non-custodial) as well being a

tool for all staff in all aspects of the at-risk process. All members of the RAT are required to become familiar with the manual as part of their initial training as a RAT member.

Recommendation 12

All relevant Arthur Gorrie Correctional Centre (AGCC) staff receive further training about at-risk indicators and how to identify them, and that AGCC implement stronger governance mechanisms for ensuring that all staff maintain current suicide prevention training and capability.

Response and action: the recommendation is implemented.

Responsible agency: Department of Justice and Attorney-General.

On 29 February 2016 the Minister for Police, Fire and Emergency Services and Minister for Corrective Services responded:

The Arthur Gorrie Correctional Centre developed an *At-risk management training manual* which assists and guides the risk assessment team (RAT) (both custodial and non-custodial) as well being a tool for all staff in all aspects of the at-risk process. The manual is sectioned into the different aspects of the at-risk process:

- identifying risk
- assessing risk
- managing risk
- preventing risk.

The theory component of the suicide awareness theory training identifies what 'at-risk' indicators are and how to identify them. This training is in line with current Queensland Corrective Services Academy training and instructors have been trained, assessed and certified as competent in the delivery of this training. The centre has an established training plan which outlines all the training to be conducted within a calendar year to ensure the required training standards are maintained. Suicide awareness theory and practical training are part of the annual training plan.

Recommendation 13

Training by Arthur Gorrie Correctional Centre should incorporate awareness of the importance of not being lulled into complacency by apparent improvements in the demeanour of an at-risk prisoner.

Response and action: the recommendation is implemented.

Responsible agency: Department of Justice and Attorney-General.

On 29 February 2016 the Minister for Police, Fire and Emergency Services and Minister for Corrective Services responded:

The Arthur Gorrie Correctional Centre developed an *At-risk management training manual* which assists and guides the risk assessment team (RAT) (both custodial and non-custodial) as well being a tool for all staff in all aspects of the at-risk process. The manual is sectioned into the different aspects of the at-risk process:

- identifying risk

- assessing risk
- managing risk
- preventing risk.

All members of the RAT are required to become familiar with the manual as part of their initial training as a RAT member. The manual reinforces with all staff involved in the RAT process are to be weary of being lulled into complacency by apparent improvements in the demeanour of an at-risk prisoner. This is achieved by open consultation between members of the RAT. Where there are any concerns relating to a prisoner's presentation the RAT always adopts the most conservative recommendation.

Recommendation 14

Training should incorporate awareness of the increased suicide risk to prisoners in isolation, seclusion or administrative segregation.

Response and action: the recommendation is implemented.

Responsible agency: Department of Justice and Attorney-General.

On 29 February 2016 the Minister for Police, Fire and Emergency Services and Minister for Corrective Services responded:

The Arthur Gorrie Correctional Centre developed an *At-risk management training manual* which assists and guides the risk assessment team (RAT) (both custodial and non-custodial) as well being a tool for all staff in all aspects of the at-risk process. The manual reinforces the increased risks of isolation, seclusion and administrative segregation.

Recommendation 15

Training should incorporate information about environmental and operational factors that contribute to suicide.

Response and action: the recommendation is implemented.

Responsible agency: Department of Justice and Attorney-General.

On 29 February 2016 the Minister for Police, Fire and Emergency Services and Minister for Corrective Services responded:

The Arthur Gorrie Correctional Centre developed an *At-risk management training manual* which assists and guides the risk assessment team (RAT) (both custodial and non-custodial) as well being a tool for all staff in all aspects of the at-risk process. The centre also developed an *At-risk management infrastructure guide* which is designed to assist the RAT with decision making regarding the adequacy of cell infrastructure and the specific risks presented by specific accommodation units and cells. The manual outlines specific environmental risk factors associated with mental and physical health.

Recommendation 16

Urgent training should be undertaken for all relevant staff (especially those engaged in risk assessment team meetings and those otherwise required to make recommendations for at risk

prisoners) regarding suicide resistant bedding and clothing, and the assessment of the circumstances in which suicide resistant bedding and clothing should be issued.

Response and action: the recommendation is implemented.

Responsible agency: Department of Justice and Attorney-General.

On 29 February 2016 the Minister for Police, Fire and Emergency Services and Minister for Corrective Services responded:

The Arthur Gorrie Correctional Centre developed an *At-risk management training manual* which assists and guides the risk assessment team (RAT) (both custodial and non-custodial) as well being a tool for all staff in all aspects of the at-risk process. The manual outlines the risk levels and associated conditions that may be specified in a prisoner's initial response plan or at-risk management plan. This is supported by the risk levels and associated conditions document which outlines which items are suitable based on the prisoner's risk level.

Recommendation 17

Further training (or refresher training) must be provided to all risk assessment team members at Arthur Gorrie Correctional Centre so that each member is aware of:

1. all matters that must be properly assessed by the risk assessment team meeting
2. whom, among the persons representing the various disciplines in attendance at the risk assessment team meeting, is principally responsible for informing the other attendees about each matter to be assessed.

Response and action: the recommendation is implemented.

Responsible agency: Department of Justice and Attorney-General.

On 29 February 2016 the Minister for Police, Fire and Emergency Services and Minister for Corrective Services responded:

The Arthur Gorrie Correctional Centre developed an *At-risk management training manual* which assists and guides the risk assessment team (RAT) (both custodial and non-custodial) as well being a tool for all staff in all aspects of the at-risk process. The manual outlines the role and composition of the RAT, the weekly RAT schedule which is based on the risk level of the prisoner, outlines the decision making process of the RAT and outlines the responsibility of each RAT member and their responsibility at the RAT.

Recommendation 18

Significant training (or refresher training) about how to conduct proper at-risk observations and how to case note those observations is required for all staff required to carry them out as part of their duties. This includes but is not limited to the following:

1. Training to ensure supervisors responsible for ratifying observations logs understand how to interpret observations instructions, how to ensure that officers for whom they are responsible are correctly adhering to instructions, and why it is not appropriate to ratify observations compliance in observations logs until after the observations have been carried out.
2. Training to ensure that all officers in the centre understand the purpose of at-risk observations instructions sheets; including, relevantly, how to complete them, why it is

necessary to complete them in a consistent fashion using consistent language, how to interpret them, how to apply them, how and when to escalate concerns and issues, and why it is necessary to be familiar with them.

3. Training to ensure observation officers understand what kind of information should be included in case notes and observation log commentary, including an understating that properly particularised information and statements of objective fact, rather than subjective assertions, are of greater assistance to those who have to rely on such information without the benefit of interviewing the at-risk prisoner in assessing and making recommendations for appropriate care regimes for at-risk prisoners.

Response and action: the recommendation is implemented.

Responsible agency: Department of Justice and Attorney-General.

On 29 February 2016 the Minister for Police, Fire and Emergency Services and Minister for Corrective Services responded:

a) The Arthur Gorrie Correctional Centre (AGCC) developed an *At-risk management training manual* which assists and guides the risk assessment team (RAT) (both custodial and non-custodial) as well being a tool for all staff in all aspects of the at-risk process. The manual outlines staff responsibilities for conducting observations and the observation log – at-risk prisoner. Observation officers are provided with a copy of the at-risk briefing whilst receiving a verbal briefing before attending an observation post. The briefing outlines terminology differences (i.e. physical and visual observations) and outlines the duties of the observation officer. The correctional supervisor assigned to the RAT is aware of the content of this briefing and can use the briefing as a reference tool as necessary.

b) The manual specifies the correctional supervisor and the RAT chair are to complete the instruction – at-risk prisoner. This is done at the end of each RAT meeting, prior to ratification. Since March 2014, the centre has had a dedicated correctional supervisor post for the W-Block (contains the observation unit) and the Health Services Centre. As there are only two correctional supervisors completing the instruction – at-risk prisoner, it has ensured a consistent approach to completing these documents. Observation officers are provided with a copy of the at-risk briefing whilst receiving a verbal briefing before attending an observation post. The briefing and document specify that the observing officer must review and understand the content of the instruction – at-risk prisoner and that they must sign the form to acknowledge the content. The briefing also covers what the observing officer must do if they have any concerns regarding the prisoner. The observing officer must immediately inform their correctional supervisor or correctional manager and raise a new notice of concern.

c) The AGCC developed an *At-risk management training manual* (MH 1012) which assists and guides the RAT (both custodial and non-custodial) as well being a tool for all staff in all aspects of the at-risk process.

The manual is sectioned into the different aspects of the at-risk process:

- identifying risk
- assessing risk
- managing risk
- preventing risk.

The managing risk section of the manual outlines that once a prisoner has been placed under observation, staff responsible for conducting observations (observing officers) must complete the observation log – at-risk prisoner (administrative form 57) to record observations conducted in accordance with the level of observation specified on the at-risk instruction. Observation log – at-risk prisoner must remain with the prisoner at all times (in the observation log folder) and behavioural observations are to be recorded as relevant, regarding:

- interaction with staff
- interaction with peers
- institutional behaviour
- eating patterns
- sleeping patterns
- changes in mood during shift
- changes in behaviour during shift
- other general observations

All staff rostered to an observation post are briefed by the correctional manager prior to attending the post. The briefing includes:

- terminology used in the at-risk process (physical/visual)
- the requirements as an observation officer (reviewing instruction, completing logs etc.)
- the requirement to complete the behavioural observation section of the observation log, including example entries.

Observation officers are provided with a copy of the at-risk briefing during the verbal briefing.