

**TASMANIAN INDUSTRIAL COMMISSION**

Industrial Relations Act 1984

T Nos 2587 and 2473 of 1990

**IN THE MATTER OF** an application by  
the Tasmanian Prison Officers  
Association and the Tasmanian  
Public Service Association to vary  
the Prison Officers Award

re structural efficiency principle

COMMISSIONER IMLACH

HOBART, 5 March 1993  
Continued from 11/12/92

**TRANSCRIPT OF PROCEEDINGS**

Unedited

COMM IMLACH : No change in appearances. Mr. Shirley?

MR. SHIRLEY : Thank you sir. If I can just indicate by way of preliminary matters, the witnesses for this morning will be Les Norris who is a Prison Officer involved in catering duties in the prison, he will be the first witness and there would have been a fax sent to yourself, the TPSA and to the Government regarding the items to be raised and discussed by Mr. Norris this morning. The second witness is Kevin Salter, a Senior Prison Officer, who will be concentrating on standing orders, those standing orders that have changed, therefore changing the duties responsibilities of Prison Officers since 1984. There isn't a witness statement for him, but I have copies of the exhibits and if that causes any concern, then there can be an adjournment for the Government to digest those. With the - the third witness is Tony Jones, Prison Officer, who will be talking about the - as I recall, maximum security, a couple of areas within there. We have broken that into two parts, and they will be the only witnesses called today. They are here, there were some time and other commitments for other Prison Officers, so they will be scheduled at another time and that will be the extent of the witnesses for today. If we can call Les Norris as our first witness thank you.

LESLIE PHILLIP NORRIS WAS CALLED AND SWORN :

MR. SHIRLEY : Thank you Mr. Norris. You have already stated your full name, can you indicate to the Commissioner and for the record, your rank?

MR. NORRIS : Yes I can, I'm Acting Senior - Acting Senior Catering Officer.

MR. SHIRLEY : Right, and can you just indicate for the record the number of years service you have had as a Prison Officer and/or Catering Officer?

MR. NORRIS : Yes, I'm - I think I'm in for my twenty fourth year as a Prison Officer and I've been in the kitchen for seventeen to eighteen years. I think as the Catering Officer, it's just a bit over two years I believe. I'll convert to me notes, I've got it all here.

MR. SHIRLEY : I will show you a document and I'll

get you to have a look at that. Now with that document Mr. Norris, it comes in a few parts. The first part is two pages with your name at the foot of that - the second page.

MR. NORRIS : Yes?

MR. SHIRLEY : And then there are some other documents which will be exhibits as we proceed, is that correct?

MR. NORRIS : That's correct, yes.

MR. SHIRLEY : Have you had an opportunity to view this document before?

MR. NORRIS : Yes I have, I've read it, yeah.

MR. SHIRLEY : Right - -

MR. NORRIS : I've read it and signed it, yes.

MR. SHIRLEY : Did you say - did I understand you to say you had read the document?

MR. NORRIS : Yes I have, yes.

MR. SHIRLEY : And have you had input to this document?

MR. NORRIS : Yes, yes.

MR. SHIRLEY : Thank you. Mr. Commissioner, I would ask that the document be marked as an Exhibit?

COMMISSIONER IMLACH : Yes, 61. Does anyone object to - any other takers? TPI 61.

MR. SHIRLEY (Resuming) : Thank you Mr. Commissioner. Mr. Norris I will ask you some questions in relation to the first part of this document. You will be aware that this is a special case encompassing work value and that the Commission is particularly interested in those aspects of changed duties and responsibilities that have occurred since 1984. So if you can concentrate your comments on that. Now the first part of that document refers to the operation by way of background in about 1974, so perhaps if you could just cover that briefly?

MR. NORRIS : Yes. Well this is the time I went into the kitchen as a Prison Officer - Prison Officer Security. At that stage, I was assisting the civilian cook - was Mr. Eade. I was - my main object there was security, but on his days off I filled in as the cook. I will just read (inaudible).

COMM IMLACH : Can I interven? Mr. - as it is not altogether - as it is not all that long Mr. Shirley, Mr. Norris could read it out you know.

MR. SHIRLEY : Yes - -

MR. NORRIS : I'm having a bit of trouble with it, I didn't bring my glasses. I didn't know I'd need to read anything. I am just following it - this - -

COMM IMLACH : What do you think Mr. Norris, this is my view. I don't want to impose my view, but in my opinion if you read through that - -

MR. NORRIS : Yes, I have read through it and that is along the lines as it went over those amount of years.

COMM IMLACH : Are you able to read it out to us now though? Bit of a problem is it?

MR. NORRIS : Well it is a little bit, yes. I didn't bring any glasses, but - -

COMM IMLACH : Perhaps if Mr. Shirley - I suggest that Mr. Shirley reads it out and see if -

MR. NORRIS : Yes, and I can follow him and - -

COMM IMLACH : I know that might be unorthodox, but nevertheless - -

MR. SHIRLEY : Well if there is no objection sir, I am quite happy to read it out. The number of officers required to staff this division is three officers. In 1974 the operation - at this time the prison management employed civilian cooks in the kitchen to provide all the catering for inmates throughout the prison. During this time I was engaged as a Prison Officer and simply provided security in the area of the kitchen for non-prison staff. As the Senior Officer on the cooks days off, I was responsible for the cooking and filled in as the cook. As this was an on-going practice, I undertood both theoretical and practical

training in the area of catering/cooking and in 1988 I became accredited as a qualified cook. 1988 - Cooking Duties. The previous civilian cook at the Prison had long periods of sickness and workers compensation absences and I assumed more extensive cooking duties from this time. In 1990, rostering Duties. It is my responsibility to ensure that all staff, both prison and inmates, are rostered to perform the functions of preparing and serving and then there is a blank, meals per day.

MR. SHIRLEY : Are you able to fill in that?

MR. NORRIS : Yes, the meals itself will vary. At the moment there is a 155 inmates at the (inaudible) at the moment and there are three meals a day, that's the breakfast, the lunch and the dinner. But that's not always the same at any individual time. We have been here when we've had about 419.

MR. SHIRLEY : Right, so the numbers fluctuate, but if you were - say if you were able to say over the last - well since 1984, what would be the average meals per day?

MR. NORRIS : I should imagine the average would be round about the 200, if you average it out over that period of time.

MR. SHIRLEY : Inmates in the prison?

MR. NORRIS : Yes.

MR. SHIRLEY : By three meals a day?

MR. NORRIS : Yes.

MR. SHIRLEY : Okay, thank you. "I also ensured that short term and long term vacancies for Prison Officer positions are covered. These absences include sick leave and annual leave. 1990, teaching responsibilities. I am responsible for the assigning of duties of all shifts for inmates and Prison Officers. This requires that I ensure that both Officers and inmates are trained

to a sufficient level to be able to discharge the cooking and other duties required in the kitchen. Management has also used the prison kitchen as the training area for cooks who have taken up appointments at Hayes Prison Farm and the medium security. I have been responsible for this period of training. Also I have had to ensure that all Prison Officers that cook in the kitchen are trained to adequately cover any absences that occur in the roster. 1992, budget preparation. I have now taken over the preparation and administration of the budget for the kitchen area. The food costs alone for this area total two hundred and fifty thousand dollars per year. Further to this, I have had additional requests to trim the budget to ensure additional savings. This required that the menus be altered and re-designed to still provide a variety of food groups for the inmates meals as well as achieving a reduction in the overall costs. This request ensured that the food purchasing activities for the kitchen be overhauled. This I did to ensure that the savings be met. It included the canvassing of food suppliers for all food stuffs. I am now responsible for all the Risdon complex purchasing provisions. It is required of me that I will negotiate the best price for all meat and vegetables for consumption in the Prison - I suspect that should be. This is not restricted to the traditional suppliers, but any supplier who can supply quality, competitive goods. This now covers the independent suppliers as well as the Supply and Tender Department. 1991, forward estimates. I am required to purchase and provide forward estimates for the purchase of all food items



for the Supply and Tender Department. This Department requires this so that they can purchase their supplies in bulk. This does not control my responsibility to provide quality meats within a restricted budget. 1991, catering goods supply form. I am also required to order the grocery items with the menu provided by me and order those items that meet both the food and cost requirements required by my budget. This is then processed through our internal prison store, who in turn purchases these items from Supply and Tender". Prison Officer L. Norris. So are you saying that that is an accurate record of the activities and duties that you have undertaken?

MR. NORRIS : Yes, I-that's true and accurate, yes.

MR. SHIRLEY : Yes. Perhaps on those items that are referred to, can I get you to turn to the next page after that formal statement and indicate what effect this Memorandum from Superintendent Graeme Harris had on your activities?

MR. NORRIS : Yes, can I have a moment to do that?

MR. SHIRLEY : Yes.

MR. NORRIS : Yes, I was called to the Superintendent's office and he told us that we had to cut six thousand off the budget. This required to talk to the storeman and re-write menus accordingly, which if you follow onto the next page you'll find, and then they told me that I was to look for - go out and talk to the managers and - with food stuffs, meat and all the items that I required. I was to be relieved from the Prison any time that I wished to, so that I may go out and talk to these consumers.

MR. SHIRLEY : Right. This Memorandum is dated the 24th of August 1992, is that correct?

MR. NORRIS : Yes.

MR. SHIRLEY : And is this an activity that was - has been ongoing - has this been conducted?

MR. NORRIS : No, this was the first time it's ever happened.

MR. SHIRLEY : Right, and is this an isolated responsibility for you or is this an ongoing activity?

MR. NORRIS : No, it's an ongoing activity.

MR. SHIRLEY : Right, you mentioned that the next page was - referred to menus.

MR. NORRIS : Yes.

MR. SHIRLEY : And in your Statement you indicated that ...

MR. NORRIS : One of several menus that I've had to re-write to suit the budgetary cuts. I think there's four or five in all.

MR. SHIRLEY : Right, and - -

MR. NORRIS : The first cut was six thousand dollars and then there was another two thousand, so I had to re-write another one purporting to that.

MR. SHIRLEY : Right.

MR. NORRIS : And there was another one.

MR. SHIRLEY : Okay, so those next five pages that deal with menus, they are in response to changes.

MR. NORRIS : That's right. That's on request from Mr. Harris, the Superintendent.

MR. SHIRLEY : Right, and - -

MR. NORRIS : And that enables the - then I had to cut those - reproduce those to Mr. Harris for - to have a look at and agree and then that's the menu for the day.

MR. SHIRLEY : Right, okay. Then you make reference in your statement to the supply form which is the next three pages in that document?

MR. NORRIS : Yes, that's it.

MR. SHIRLEY : Right, what control have you over these items and what impact has this form had on your activities or responsibilities?

MR. NORRIS : Well this form itself for a start, this has been made up to coincide with the menus. This is an ordering form that I sent to the Superintendent. He goes through it and checks them with the menu. If it goes in accordance with the menu, it's signed and it's then sent to the store and then - what I order on those three pages is sent to me for the next

week to (inaudible) in the menus - preparing the menus.

MR. SHIRLEY : Right, who is the author of that document, the supply form?

MR. NORRIS : Well I think that it was suggested by the Superintendent, but I don't know who actually printed it up, but it's a suggestion of the Superintendent. I think that was then made up - looking back through the menu on some of the items or most of the items that we used. There's occasional one or two that's not there.

MR. SHIRLEY : Right, are those items relective of the menus that were drafted?

MR. NORRIS : Yes, yes. If you'd went through that, everything according to - on the menus that we ordered.

MR. SHIRLEY : Right, so who had the responsibility of designing this form?

MR. NORRIS : Well I had to come up with the menu and then Mr. Harris went on the menu and had this drawn up. I think then he went through the menus 'cause then drafted up this diagram that would be needed.

MR. SHIRLEY : Right, okay. Then the next quite a number of pages appear to be products used within the prison system and ordered by yourself?

MR. NORRIS : Yes, that's right. These are estimate forms that I have to send in to Supply and Tender,

recommending the quantity and amounts that I should be using over the period of times. I think it's six month ....

MR. NORRIS : They go to Supply and Tender and then of course they go round for the cheapest prices I should imagine, but I have to estimate what I'll be using in the next six months, the amounts of food stuff.

MR. SHIRLEY : Right, yes. And was this activity conducted before 1984?

MR. NORRIS : No, no.

MR. SHIRLEY : Right, and this all came about at the same time as this Memorandum was handed to you in August '92 or is this activity prior to that?

MR. NORRIS : Yes, yes. It come through in that actually. It's - the ones that I do definitely comes from the same ...

MR. SHIRLEY : Right. In any event, it at not the same time, it commenced after 1984?

MR. NORRIS : Yes, yes.

MR. SHIRLEY : Okay. Now those pages continue on do they not?

MR. NORRIS : Yes.

MR. SHIRLEY : It goes into vegetables frozen, contract. So they are similar in nature?

MR. NORRIS : Yes, yes.

These are all estimates - forward estimates?

MR. NORRIS : They're all estimates and then they go to Supply and Tender and then they nominate a supplier.

MR. SHIRLEY : Right, and did I understand you to say that you are not constrained by that. If you are able to negotiate a better deal, you can opt for that?

MR. NORRIS : No, I have a document from Mr. Harris telling me to do just that, yes. But not - go for the best price I could get.

MR. SHIRLEY : Right, so you give the forward estimates to Supply and Tender, but if you are able to negotiate a better price, you opt for that?

MR. NORRIS : Yes, yes. That was the deal, yes.

MR. SHIRLEY : Right, and is that your practice?

MR. NORRIS : Well it is at the moment, yes.

MR. SHIRLEY : Right, thank you. The - with the cooking side of your duties, apart from those contained in the Statmenet, are there any others that - new practices since 1984?

MR. NORRIS : In the statement - can you just say that again sorry?

MR. SHIRLEY : You have a statement here that refers to activities, cooking duties, rostering duties, teaching responsibilities, budget preparation, forward estimates,

catering goods supply form?

MR. NORRIS : No, I think that covers it.

MR. SHIRLEY : That covers - -

MR. NORRIS : That just about covers the lot, yes.

MR. SHIRLEY : The change in activities, apart from your normal cooking duties - -

MR. NORRIS : Yes.

MR. SHIRLEY : That you perform?

MR. NORRIS : Yes, yes.

MR. SHIRLEY : Okay, thank you. Thank you Mr. Commissioner.

COMM. IMLACH : Thank you Mr. Shirley. Mr. Willingham?

MR. WILLINGHAM : Mr. Norris, as I understood you to say, your position is Acting Senior Catering Officer?

MR. NORRIS : Yes sir.

MR. WILLINGHAM : And I further, in the brief time I've had to read your substantial exhibit, understand that you assumed your current duties in 1988 as a result of the previous civilian cook retiring or - -

MR. NORRIS : That's right sir, yes, sickness.

MR. WILLINGHAM : Through sickness?



MR. NORRIS : Sickness and (inaudible), yes.

MR. WILLINGHAM : Just what was your role up to 1988 when a civilian cook was in charge of catering?

MR. NORRIS : Well, I was security and I had to fill in on the days off that he was there, being the Senior Officer of the day there, I filled in on the days off of the civilian cook.

MR. WILLINGHAM : When you say you were Senior Officer, was that a Senior Prison Officer or you were the Senior member of the Prison office staff?

MR. NORRIS : Well that was just the Senior of the - just the Senior Officer, not even the Senior, just the Senior Officer of the day. Well the longest serving officer, let me just put it that way.

MR. WILLINGHAM : Thank you. How many times in a period of, let's say, twelve months, would you have been required to act in the civilian cook's duties, that is to actually provide the cooking function?

MR. NORRIS : Well out of the three hundred and sixty five days, I think it averages out about a hundred or just a fraction better.

MR. WILLINGHAM : Right. Now at the moment you are in fact an Acting Senior Prison Officer, is that correct?

MR. NORRIS : Yes, I'd be the longest serving Acting - yes.

MR. WILLINGHAM : I am just trying to establish in my own mind ...

MR. NORRIS : Yes, I'm - yes, all right. Yes, yes.

MR. WILLINGHAM : - - that you are a Senior Prison Officer, although in an acting capacity?

MR. NORRIS : Yes, I was just having a little rub to the Senior - -

MR. WILLINGHAM : I'll have a word to Mr. Merris(?) for you later about the acting capacity, all right?

MR. NORRIS : Yes, okay. Mm Mm.

MR. WILLINGHAM : Now I won't keep you much longer, there isn't a great deal more I need to know Officer Norris, but you talked about the - let's take them in the order that I've got them - the supply and order forms, those that are forwarded on a weekly basis.

MR. NORRIS : Yes?

MR. WILLINGHAM : What method was used prior to this particular form for ensuring that your - -

MR. NORRIS : Yes, I know what you mean.

MR. WILLINGHAM : - next weeks supplies on hand?

MR. NORRIS : This was done by the store, going back through their forms and looking over the years what was done, it was done by the two storemen at that

stage. They done all the paper work and sent it to the Supply and Tender.

MR. WILLINGHAM : How did they establish just what it was the Catering Officer wanted by way of menus?

MR. NORRIS : Well I'd say by the cook of the day - the senior cook or the civilian cook, let me put it that way - on his ordering over the last twelve months. It was a go-on thing, follow on thing from the start, it was followed on.

MR. WILLINGHAM : What, you had fixed menus year in, year out did you?

MR. NORRIS : No, no.

MR. WILLINGHAM : Well how did they cater, if I can use the expression, for variations to the menu?

MR. NORRIS : Well they'd go through their order books I should imagine, what they've ordered over a period of time.

MR. WILLINGHAM : But would it not be - would it not have been the practice that they would have had to have some insight from the Catering Officer as to what the menu was in order for them to accurately assess what provisions were required?

MR. NORRIS : Yes, yes - they'd - amounts of - of food stuff like the meat, I believe the - the civilian cook would have to tell them that.

MR. WILLINGHAM : Thank you - -

MR. NORRIS : But it was an ongoing thing. It was a three week cycle that the store had theirselves to order the meats and the cooking was done around what was ordered at that stage.

MR. WILLINGHAM : Okay, now the estimate forms which you furnished to Supply and Tender, I think you said for forward estimates of six months?

MR. NORRIS : Yes, I think that was it.

MR. WILLINGHAM : I'm sorry, I can't tell you the exact number of the page - -

MR. NORRIS : I'm not sure whether it's three months. They have a three month or a six month period.

MR. WILLINGHAM : I'm not sure if there's a number on that Commissioner. It is the form that - I am not sure what it is headed, but anyway it is in there in that compendium of documents somewhere. I'm sure if we have enough time we will find it. The witness knows what I am speaking of.

MR. NORRIS : I've got twenty eight on mine.

MR. WILLINGHAM : Have you? You may have a better copy than mine, mine doesn't have a - it also has fifty six on mine. Is that twice the number or ?

MR. NORRIS : Well there's two lots of it so I s'pose we can add that together.

MR. WILLINGHAM : Now how long is it Officer Norris,  
that Supply and Tender have been the main arranger  
of provisions for catering services?

MR. NORRIS : I'd say most of the time that I've been here anyway.

MR. WILLINGHAM : So is it correct to say that there is nothing in particular new about Supply and Tender being the major source for forward ordering of provisions?

MR. NORRIS : No, no, that's correct, yes.

MR. WILLINGHAM : I have no further questions Commissioner.

COMM. IMLACH : Thanks Mr. Willingham. Just one question from me, just confirmation Mr. Norris. That statement that Mr. Shirley read out, I want to make it clear that was read out on your behalf. You are claiming that as your statement, is that correct?

MR. NORRIS : Yes, the feed into the statement was mine, yes.

COMM IMLACH : Get this clear now. You are saying that everything in there, I am taking it that you have sworn is true, is that correct?

MR. NORRIS : Yes, I have, yes.

COMM IMLACH : Thank you. Mr. Shirley?

MR. SHIRLEY : Thank you Mr. Commissioner. Can I just clarify with you please Mr. Norris, when you were asked about the relief cooking prior to 1988 and you indicated that it was roughly a hundred days a year - well that's my note - is that correct? That occurred prior to 1988?

MR. NORRIS : Well actually - just to state on this. It - I don't think it was ever asked of me. I think they just thought that that's the way it'd go. I mean, the cook cooks for five days and there's seven days in it. It was just left to me, nothing else. The food had to go on the table and I was just the one that was there.

MR. SHIRLEY : Right, and you are saying that, as I understand the reading of your statement, that in 1988 that changed, you became the - you replaced the civilian cook and became the - -

MR. NORRIS : That's right, yes this was in (inaudible) with Mr. Lawler. He bought a form up and told me - we read it together and put a dosse on the form and asked me what my opinion of it - and we agreed on the opinion.

MR. SHIRLEY : Right?

MR. NORRIS : About me becoming a Senior Catering Officer, but that hasn't eventuated yet. Actually I was promised the world and got a headache.

COMM IMLACH : We will just get that clear Mr. Shirley. Mr. Norris, as I understand it in 1978...

MR. NORRIS : No, we're talking '88 aren't we?

MR. SHIRLEY : 1988.

COMM IMLACH : I'm sorry, 1988. You took over as Acting Catering Officer?

MR. NORRIS : Well I had to because the civilian cook at this time, he was here for a period of about two years and out of that two years, he was here for about seven months. That's with his compensation forms, sickness, holidays.

COMM IMLACH : Yes, in 1988 you took over seven day a week responsibility for the cooking?

MR. NORRIS : Yes I did, yes.

COMM IMLACH : Thank you.

MR. SHIRLEY : Now you don't work seven days, there are other people that fill - -

MR. NORRIS : No I don't. No, I have about two other Officers in Mr. - - and Mr. Snell. Now it's - they take over on the days that I'm off and I elect one of those to do the holidays.

MR. SHIRLEY : Right?

MR. NORRIS : Now when they came to me, they had to be trained, like you said in the statement, I think somewhere (inaudible - coughing in background) that occurred, yes.

MR. SHIRLEY : Yes, required of a cook in that area. So that from 1988, all the cooking functions are performed by yourself and two other Prison Officers?

MR. NORRIS : Yes, yes.



MR. SHIRLEY : And before that there was some relief capacity, you have estimated at a hundred days, but it could be more?

MR. NORRIS : Yes, well if you work it out on the roster, it's round about that. That's the - I'm estimating now with the two days off and four days off and the annual leave.

MR. SHIRLEY : Right, and all the relief for your unit that - the kitchen section of the Prison, comes from within those Officers, is that right?

MR NORRIS : That's right, yes.

MR. SHIRLEY : You relieve each other for annual leave and days off?

MR. NORRIS : That's right.

MR. SHIRLEY : Okay, and the activities that you have talked about in your statement have occurred since 1988?

MR. NORRIS : Yes.

MR. SHIRLEY : Is that right?

MR NORRIS : Yes,that's right.

MR. SHIRLEY : Okay, and insofar as the questioning regarding the supplied forms and returns to Supply and Tender, you do that as a matter of course as I

understand it, but it is still your responsibility to negotiate the best price and quality of food independent of that return?

MR. NORRIS : That's right, yes.

MR. SHIRLEY : Okay, thank you. Anything else? Thank you very much Mr. Commissioner, I have no further questions.

COMM IMLACH : Thanks Mr. Norris, you may leave.

MR. NORRIS : Thanks very much.

Indecipherable conversation - whispering between Mr. Shirley and Mr. Willingham.

COMM IMLACH: Don't worry Mr. Norris, they are just being technical. Wasting out time, the pair of them.

MR. SHIRLEY : Mr. Commissioner, we will have contact the next witness, so if you wanted to have a break now, it would probably be five or ten minutes before he was here.

COMM IMLACH : Right, I will adjourn for five or ten minutes.

THERE FOLLOWED A SHORT ADJOURNMENT.

MR. SHIRLEY : Mr. Commissioner, Kevin Salter is our next witness.

KEVIN DOUGLAS SALTER WAS CALLED AND SWORN :

MR. SHIRLEY : Thank you Mr. Salter. You already indicated for the record your full name. Can you also for the record indicate your rank?

MR. SALTER : My rank in Risdon Prison is a Senior Prison Officer. At the present, I am an Acting Chief Prison Officer.

MR. SHIRLEY : Thank you. How long have you been in the Prison service?

MR. SALTER : Nine years and four months.

MR. SHIRLEY : Right, and you have acted through which particular ranks?

MR. SALTER : From the position of Prison Officer on probation through to Acting Chief Prison Officer.

MR. SHIRLEY : Good, and has your activities in those areas taken you through most of the areas of the Prison in that nine years and four months?

MR. SALTER : Yes they have, yes.

MR. SHIRLEY : Thank you. This is a special case and part of the special case is work value and we are looking at the change that has occurred since

1984 to activities within the Prison, particularly to Prison Officer duties and you are here this morning to inform the Commissioner of the changes in so far as standing orders are concerned and the impact that has had on duties and responsibilities for Prison Officers, okay?

MR. SALTER : Mm Mm.

MR. SHIRLEY : I will hand you a number of documents and these are standing orders.

COMM IMLACH : Have you got a suggestion as to how we should number these Mr. Shirley?

MR. SHIRLEY : They could be joined and become one exhibit Mr. Commissioner, or they could be done individually.

COMM IMLACH : Are we going to go through them individually?

MR. SHIRLEY : Yes.

COMM IMLACH : We will call them TPRA62, the first one being "A".

MR. SHIRLEY : Thank you.

COMM IMLACH : That is the one with "N Division" at the top.

MR. SHIRLEY : Correct, and number "R7" I believe is the first, just in - where it has got "Directors

Standing Order", just below that there is a number "R7", that's the first, thank you. Mr. Salter, as I have indicated, we are looking for the changes to duties and responsibilities that have occurred. Just by way of background and without referring to this particular standing order, can you indicate to the Commission the approximate number of standing orders that are in existence now? Now I know there are quite a few, but if you can just indicate the sort of number, just a best guess?

MR. SALTER : Right, off the top of my head, I would say about sixty five, seventy.

MR. SHIRLEY : Right, and those standing orders as I understand it, and please correct me if I am wrong, have been developed over the number of years since the Prison has been operating?

MR. SALTER : Oh yes, well before I came to the Prison Service, yes.

MR. SHIRLEY : And as activities change from time to time, new standing orders are drafted - standing orders are drafted and so their date of effect is various?

MR. SALTER : Yes, yes.

MR. SHIRLEY : Right ....

END TAPE.

MR. SHIRLEY : And these standing orders that you have before you all date from 1984 and are new activities, is that correct?

MR. SALTER : Ah -

MR. SHIRLEY : Well perhaps if we just take them one at a time. Have a look at the standing order - direct standing order number R7, entitled "N Division, Maximum Security and Separate Treatment". Can you indicate the changes that this standing order has had on duties and responsibilities of Prison Officers?

MR. SALTER : Yes, well one - the time of the Senior Prison Officer there is incorrect. It's not eight to four anymore, it is now seven thirty to three thirty.

MR. SHIRLEY : I suppose what I am trying to get you to do with this, just by way of assistance, is indicate to the Commissioner those items that are new work activities within the standing order?

MR. SALTER : That are already in here now?

MR. SHIRLEY : Yes?

MR. SALTER : There are parts that are not included in this since the time change of the Senior Prison Officer. He now - instead of just going straight to "N" Division, he reports to the Duty Chief and he assists in the showering of the remand yard, that's the first thing he does of a morning and also once

he has finished showering the remand yard, he then relieves the "H" Division Officer for his breakfast. While the "H" Division Officer was having his breakfast he ensures that the remand yard is cleaned, the cleaning of the cells and so forth until such time as the remand yard officer comes back. He then proceeds to "N" Division and carries out his duties as listed in the standing orders.

MR. SHIRLEY : Right. Can I just get you to go through those items and indicate what duties have changed. I take it that some of these duties for the Senior Prison Officer have been done in the past - -

MR. SALTER : Yes.

MR. SHIRLEY : And that this standing order - this particular standing order "R7", indicates some new areas of changed work?

MR. SALTER : Yes, I'd have to read through each item and I could tell you which is new and which is not.

MR. SHIRLEY : Yes, thank you if you would do that.

MR. SALTER : Just number eleven, there is a change there. Lights on at six forty five and the lights now go out at ten o'clock.

MR. SHIRLEY : Is that a new activity or the extension of time, it's just an amendment?

MR. SALTER : It is an extension of time, yes.

MR. SHIRLEY : It is just an amendment, yes thank you.

MR. SALTER : Number 13, that says on Mondays, Wednesdays and Fridays of each week, the Senior Prison Officer posted at duty eight to four, which should be now seven thirty, three thirty, is to ensure that all prisoners shave and shower is now an everyday occurrence.

MR. SHIRLEY : Right, good. Just on that point, is that seven days per week?

MR. SALTER : That is, yes.

MR. SALTER : Seven days a week.

MR. SALTER : On Sunday, the water is cold, but we do find that the inmates still like to shower on Sunday, regardless of whether the water is hot or cold. Number eighteen, maximum security, paragraph "H". Transistor radios permitted in cells only, that no longer exists. We don't have transistors any more. Also "J", it says "lock behind in the grill gate from four p.m. till eight p.m.". If they are in "N" Division, they are locked behind the grill gate all the time, only when they come out for exercise.

MR. SHIRLEY : All right.

MR. SALTER : Now over the page - on the last page it says "Inmates will be stripped" - no, sorry. It says "Inmates will be stripped, searched and changed into white overalls". I didn't quite read that - sorry. (Inaudible) changes, the ones I've noted



are the changes to that order.

MR. SHIRLEY : Good, if I can just take you back to eighteen, maximum security "H", transistor radios. Is that a situation where there is increased surveillance or searching by Prison Officers as a result of the change in not allowing transistor radios into cells?

MR. SALTER : That was ruled on by the Deputy Chief Superintendent.

MR. SHIRLEY : Right?

MR. SALTER : I'm not too sure of his reasons for doing it, but I would say it's possibly the inmates that are on separate treatment have not got access to music and so forth.

MR. SHIRLEY : Do I understand you to say that transistor radios are no longer allowed in "N" Division in Maximum Security?

MR. SALTER : Yes, because there's no power points and they can't have batteries.

MR. SHIRLEY : Right?

MR. SALTER : 'Cause batteries can be used as a weapon.

MR. SHIRLEY : Sure. So what I am requesting as a result of that change, has there been a change to security practices to ensure that transistor radios are not in cells?

MR. SALTER : Yeah, well no - no transistors would come into the Division because when an inmate is bought into the Division, he is completely strip searched, all property taken off him and placed in a little cubicle. For him to get a transistor radio into the Division, he must make firstly a request through the Deputy Chief Superintendent for approval and if -

well if he approved it, then it's the Senior Prison Officer's responsibility to go and collect it from the appropriate person, but it's been practise now for some months since I've been in the Division, that they don't have radios in "N" Division.

MR. SHIRLEY : Yes, are inmates allowed to smoke in "N" Division?

MR. SALTER : No they're not. Sorry, "N" Division is a completely smoke free Division.

MR. SHIRLEY : Right, has that always been the case?

MR. SALTER : Yes sir, as far as I know it has been, yes.

MR. SHIRLEY : Right, with the situation of meals to prisoners, what is the practise in presentation of meals?

MR. SALTER : To prisoners the meals come to "N" Division in a hot box.

MR. SHIRLEY : Yes?

MR. SALTER : And the inmate that brings them to "N" Division brings them in and they are left there for the Officers posted in "N" Division to first search to see that there is no contraband in them, like tobacco or anything they are not allowed. It is then placed on plastic plates by the two officers in "N" Division or if there is a great number of inmates in "N" Division, the Duty Chief will allocate an extra Officer to assist

with it and we present the meals on the plates for the inmates. The only ones that we don't put together are the diet meals which are sent around from the kitchen already on plastic plates.

MR. SHIRLEY : Right, and has that activity always been undertaken by Prison Officers?

MR. SALTER : The serving of the meals? Since I've been there, yes.

MR. SHIRLEY : Right.

MR. SALTER : We'd run the meals around to the inmates, their drinks, we'd butter the bread.

MR. SHIRLEY : Right, thank you. I will get you to have a look at the next standing order "R8".

COMM. IMLACH : Call that TPOA62B.

MR. SHIRLEY (Resuming) : And that one is entitled "Criminal Courts Holding Centre" is it not?

MR. SALTER : It is, yes.

MR. SHIRLEY : Once again, can you go through and highlight those areas that have changed and therefore have changed duties and responsibilities and work practices of Prison Officers.

MR. SALTER : Is this just pertaining to Prison Officers or to Senior Prison Officers?

MR. SHIRLEY : Yes to any category.

MR. SALTER : To any category, yes. Since 1984, the only addition to that standing order is 13, 14 and 15.

MR. SHIRLEY : Right, relating to inmates suffering from designated medical conditions?

MR. SALTER : Yes.

MR. SHIRLEY : So that's a new practice for Prison Officers?

MR. SALTER : Prison Officers, yes.

MR. SHIRLEY : Okay, and - all right, thank you. I will get you to have a look at the next standing order.

COMM IMLACH : TPOA 62(C).

MR. SHIRLEY (Resuming) : Number R15, entitled Suicide Attempts and Potential Suicide Risks and once again I will get you to indicate which areas have changed and therefore caused changes.

MR. SALTER : Well this whole standing order was put in place after 1984. At the time I was a member of the TPOA Executive as an Assistant Secretary and Mr. Graham Harris who was then Secretary and myself, and Mr. Basil Masters negotiated with the appropriate people with respect to this standing order.

MR. SHIRLEY : Right, okay. So that standing order in its entirety is a new practice, commencing after 1984?

MR. SALTER : It is, yes.

MR. SHIRLEY : Thank you, can you have a look at the next one, number R15A, Suicide Precaution General Instructions.

COMM IMLACH : TPOA 62(D).

MR. SALTER : The same applies with this one. This was brought out in conjunction with the previous standing order.

MR. SHIRLEY : Good, and on the first page of that, under "Classification of Inmate", it's got "Category A, B, C" and there are some attachments?

MR. SALTER : Yes.

MR. SHIRLEY : Annexe A, B and C to that document. Can I get you to have a look at that document and indicate whether or not they also are new practices?

MR. SALTER : Yes they are - they are new practices, yes.

MR. SHIRLEY : Right, thank you. I will get you to have a look at the next standing order, R16.

COMM IMLACH : TPOA62(E).

MR. SHIRLEY : Titled "Suicide Prevention Suits".  
Can I get you to have a look at that and indicate  
which activities are new activities since 1984?

MR. SALTER: I am just reading through it, procedure 1.1.

MR. SHIRLEY: Yes.

MR. SALTER: That's a new activity because of the . 1.2, 1.3 remains the same, we - the inmates of category "A" were completely nude. On category "B" they could wear underwear or you know just underpants.

MR. SHIRLEY: Right. And category "A" "B" and "C" are defined in the previous Standing Order, they are 15 "A".

MR. SALTER: Yes.

MR. SHIRLEY: Thank you.

COMM IMLACH : Just get that clear Mr. Shirley before we go on with it. Was it said that Standing Order R.15"A" that that was a new Standing Order or not?

MR. SHIRLEY: A new Standing Order and the practice has commenced since 1984.

COMM IMLACH : Yes, well the whole thing.

MR. SHIRLEY: Yes.

COMM IMLACH : Yes, well wouldn't that then apply to the next one, the one we have just looked at? That would have to be new too wouldn't it?

MR. SALTER: Yes, it is, it is in the Order, it came out in 1991, Mr. Morris put that forward.

COMM IMLACH : Right. Thanks Mr. Shirley?

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MR. SHIRLEY: Right, thank you sir. In the next Standing Order A.4, Prisoners Visits, November, 1988, 62"F". Once again can you indicate which of those items within that Standing Order have changed since 1984, and are new practices?

MR. SALTER: Number 8. Special visits can be, if the Chief Superintendent or the Deputy Chief Superintendent are not on duty can be authorised by the Duty Chief or the Principal Prison Officer that are on duty on those days. Mainly weekends, because the Deputy Chief Superintendent and the Chief Superintendent are not on duty on those days.

MR. SHIRLEY: Right. And that's commenced since 1984?

MR. SALTER: Oh no, no, that's been in place since I've been here.

MR. SHIRLEY: Right. So prior to 1984. Okay, right.

MR. SALTER: General number 9, Regulations provide that prisoners may be visited fortnightly and detainees twice a week, that has since changed. Inmates now can have visits, sentenced inmates can now have visits once a week, and detainees are now unable to have three visits per week. Yes, there is only one other thing that is missing off that, the Officer in the visiting box now has a diary which he keeps a written record of the number of the visiting box that the inmate is in, and the number of visitors, and also the time, the time the inmate comes in and the time that the inmate leaves.

MR. SHIRLEY: And that has commenced since 1984? That activity?

MR. SALTER: Yes.

MR. SHIRLEY: Mr. Commissioner I understand that the next Standing Order has in fact been changed and so we won't be addressing that one. That's number A.6 so that will now not be tendered as an Exhibit.

COMM IMLACH : Well just leave it out altogether.

MR. SHIRLEY: Thank you. I will get you therefore to have a look at the next Standing Order A.21 Disciplinary Reports on Prisoners. And once again Officer Salter I will get you to have a look at that and highlight those changes?

COMM IMLACH : 62"G".

MR. SHIRLEY: Thank you sir.

MR. SALTER: 5"A" is a practice we don't carry out any more, the locking of an inmate in his cell.

MR. SHIRLEY: So was that a punishing activity was it, to lock an inmate in the cell if there was a misdemeanour, is that the?

MR. SALTER: Well I would see it as that, yes.

MR. SHIRLEY: Right.

MR. SALTER: But also it could be there for his own protection too, I could see that. Could see that also if there was a fight or something in the yard and the best way to segregate the two inmates was to lock one in the cell then by all means we would do it, yes. It is a practice now but we don't lock them in the cells, we usually keep them apart.

MR. SHIRLEY: Right, so how would you do that then if you didn't lock them in the cell, how would you keep them apart?

MR. SALTER: Normally by the time - because we have got an alarm system now and normally by the time that, it is pretty quick that the people get there, they are both kept apart and the Duty Chief would be there and the Principal or the Deputy Chief Superintendent and he would make a decision on whether one or both inmates would be segregated in "M" Division.

MR. SHIRLEY: Right, so the activity now, as I understand it, is to observe rather than lock them away, is that the?

MR. SALTER: We try not to lock them away, yes.

MR. SHIRLEY: Right. In so far as the Report is

concerned, there is still a written report?

MR. SALTER: My word, on any incident there is always a written report, regardless how small or what.

MR. SHIRLEY: Yes, is that a new activity or is that - that has gone on?

MR. SALTER: No, that's - the report, yes the report has always been.

MR. SHIRLEY: Right, okay. Are you aware if the Deputy Chief Prison Officer needs to sign the report in any way?

MR. SALTER: The Deputy Chief?

MR. SHIRLEY: Yes. Oh sorry, the Duty Chief?

MR. SALTER: Well we do, when a report is written, and an inmate has been placed on report we telephone the Duty Chief Prison Officer, informing him that we are placing inmate so-and-so or detainee so-and-so on report, and when the report is done we take it down to the Duty Chief and he initials it with his comments if need be, with respect to that report. It is then placed into the box at the main gate by the reporting Officer to the Deputy Chief Superintendent.

MR. SHIRLEY: Right, and is that a new process or is that a new activity? If you are not aware I mean that's?

MR. SALTER: No I'm not aware of it, no.

MR. SHIRLEY: yes, okay, thank you.

MR. SALTER: See actually I have been here since 1983 and if ever I have placed an inmate on report

I've more or less -----

MR. SHIRLEY: Had the Duty Chief see the report?

MR. SALTER: Yes, used to see - contact the Duty Chief and tell him of what I have done.

MR. SHIRLEY: Okay, thank you. The next Standing Order A.31, Classification Standards.

COMM IMLACH : 62H.

MR. SALTER: As far as I see that Standing Order, no, it's the same.

MR. SHIRLEY: Right.

MR. SALTER: And the same.

MR. SHIRLEY: Right, yes, so that's an existing practice?

MR. SALTER: That is an existing practice.

MR. SHIRLEY: Right, thank you. The next Standing Order A.32, Classification and Allocation of Prisoners.

COMM IMLACH : 62I.

MR. SALTER: This category "A" and category "B" are the same. A new one on me, not being involved with the classification of inmates I am not conversant with that.

MR. SHIRLEY: So that's under Prisoner Categories, Category "A" and "B"?

MR. SALTER: "A" and "B" yes.

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MR. SALTER: Since 1984 the full membership, in page 2,, full membership of the Committee is as follows:- Manager, custodial - they have changed, once upon a time when I first came here it used to be just handled by the - I can't think who they were. Mr. Westwood at the time was the - Mr. Westwood, Welfare Officer, I think we did have a Chief of Reception there, I can't say exactly who they all were but since the introduction of new equipment and service, like the Manager, Custodial Corrections, he is a new one. C.P.O. Reception, Manager, Industrial Training, Member of the Programme Scheme, the same with the Psychologist.

MR. SHIRLEY: Right, and the last order, or the next sentence after that, "additional staff such as Prison Officers etc. may attend where the Chairman considers that this would assist the Committee"?

MR. SALTER: Oh yes, yes.

MR. SHIRLEY: Is that a new activity for Prison Officers, have they been involved in that?

MR. SALTER: Yes, they have been involved in you know you can be called up at any time and asked to sit on a classification committee.

MR. SHIRLEY: Right, good, thank you.

MR. SALTER: Pass comments on it and so forth.

MR. SHIRLEY: Yes.

MR. SALTER: And this - where the Committee is classified, classified at present in category "A" that's new to me because I haven't had much to do with that at all so I can't really comment on it.

MR. SHIRLEY: Yes. No, that's okay, good.

MR. SALTER: The same with category "B" the next paragraph.

MR. SHIRLEY: Page 2, about the middle, "where the Committee"?

MR. SALTER: On that there a lot of it is pertaining to the people that hold a higher Rank than what I do so I really can't comment on it, you know it is out of my boundaries.

MR. SHIRLEY: Yes, okay. The next one A.33, Personal Alarms.

COMM IMLACH : 62J.

MR. SALTER: This is a new Order that has been in existence since before 1984. When I first came to the Prison we used to have a kind of a personal alarm, the Officer in each main area, like the division, had a - like something similar to a two-way radio but they were phased out, but the new alarm system that we have now, almost every Officer carries one, all bar for the release of course, and this Standing Order pertains to them, but this is a new Order since 1984.

MR. SHIRLEY: Right, are there significant differences to the new personal alarm system as to the old?

MR. SALTER: Oh yes, yes, the old system used to be relayed through the camera room. Now with the pressing of one of these personal alarms we have indicator boards around appropriate places in the gaol and on hearing one of the alarms go off Officers go to the area which lights up on the board.

MR. SHIRLEY: Right. Are you aware of training that is provided in so far as the personal alarm system is concerned?

MR. SALTER: There is no training.

MR. SHIRLEY :There is no training?



MR. SALTER: No, it has just been common-sense, if an alarm goes off you go there, you don't - that's it you go to wherever the alarm goes off because one, it could be an Officer down, or it could be an inmate whose life or limb could be at stake.

MR. SHIRLEY: Right, okay, thank you. The next Standing Order H.1 Admission to Prison Security Hospital?

COMM. IMLACH : 62K.

MR. SALTER: No, I can't see any.

MR. SHIRLEY: No changes there?

MR. SALTER: No. That Officer on duty in charge of the Prison that also is the main gate Officer, the main gate one who could be a Senior Prison Officer or an Acting Senior Prison Officer.

MR. SHIRLEY: Right. So are you able to say whether or not that is a new activity for the Senior Prison Officer?

MR. SALTER: No, I don't think so.

MR. SHIRLEY: You don't believe that's a new activity?

MR. SALTER: No.

MR. SHIRLEY: Okay. The next Standing Order is E.8 Medical Emergencies and Infection Control Procedures.

COMM. IMLACH : 62L.

MR. SALTER: This is a new Standing Order since 1984, so it would all be fairly new. Of course contact with blood and stuff has always been the

same regardless of whether it was 1984 or what, you were to be careful with it, yes. But a lot of the stuff like the emergency kit that is all new. It's something we never used to have in the Divisions before 1984.

MR. SHIRLEY: Yes. And this procedure applies not only to the Hospital but anywhere in the Prison?

MR. SALTER: Anywhere within the Prison, yes.

MR. SHIRLEY: Okay. Is there any more on that Standing Order?

MR. SALTER: No, salt and water.

MR. SHIRLEY: Only water.

MR. SALTER: Being in the water, yes.

MR. SHIRLEY: Good. B.9 Procedure for Emergency Contact of Nursing Staff.

COMM. IMLACH : 62M.

MR. SALTER: This again is a new Order since before, after 1984. With the introduction of the paging system.

MR. SHIRLEY: Right.

MR. SALTER: I haven't had the opportunity at the present time, since I have been a Senior, to have to use it, so.

MR. SHIRLEY: Right. But the Order is there nonetheless?

MR. SALTER: Oh yes, yes.

MR. SHIRLEY: Officers need to be aware of it?

MR. SALTER: Oh my word, yes. Well it could mean life or limb if the Officer didn't know what he was doing.

MR. SHIRLEY: Yes, right. Thank you Mr. Commissioner.

COMM. IMLACH: Thank you Mr. Shirley. Mr. Willingham?

MR. WILLINGHAM: Thank you Commissioner. Good morning again Officer Salter, nice to see you back here after all these years.

MR. SALTER: yes, it has been a few years. Had a bit of fun together haven't we?

MR. WILLINGHAM: I'm not sure I laughed too much. Always looks better in retrospect doesn't it?

MR. SALTER: It does, yes.

MR. WILLINGHAM: Officer thank you for helping to elaborate on these complex documents. I am not absolutely sure that the context in which they have been placed by your advocates, so I'll ask you the questions myself; as I understand it these thirteen Standing Orders are in your evidence those Standing Orders which have been made subsequent to 1984?

MR. SALTER: No, there has been additions to them, some of them. Some of them are new and there are some that have had additions to them, sorry.

MR. WILLINGHAM: I'm sorry, let me clarify what I meant; whether they were additions to existing Standing Orders or whether they were totally new Standing Orders these thirteen are in your view those which have changed or are entirely new since 1984?

MR. SALTER: Yes.

MR. WILLINGHAM: I think Mr. Shirley had already indicated that in many instances they would only build upon existing Standing Orders, is that correct?

MR. SALTER: Yes.

MR. WILLINGHAM: COuld we just take the Exhibit marked by the Commissioner as 62A, and which is Standing Order R.7. N. Division, Maximum Security and Separate Treatments, headed. My understanding of your evidence Officer was that at Item 11 the change to the Standing Order was that instead of lights being switched off at nine they are now switched off at ten, is that correct?

MR. SALTER: Yes, they are, yes.

MR. WILLINGHAM: You don't assert that that has any work value, the component in it, do you?

MR. SALTER: Not really, no.

MR. WILLINGHAM: Well does it, "yes" or "no"? The act of turning on the light switch is the act of work value, the time that you do it surely doesn't make any difference whatsoever does it?

MR. SALTER: No, it's just that it's a change to that Order.

MR. WILLINGHAM: I understand that. This is a work value case, I want to know from you whether you say that there is work value consideration in the fact that you turn the light off an hour later?

MR. SALTER: No.

MR. WILLINGHAM: Thank you. Similarly, can I ask you the same question in relation to Item number 13, where the times are listed as eight a.m. to four p.m. and it is now seven-thirty to three-thirty?

MR. SALTER: Not so much to the fact that the duties of that Senior Prison Officer have changed, as an eight to four he would have gone straight to N Division and carried out the duties pertaining to the Standing Order but now the Officer posted at seven-thirty has he added responsibility of relieving and showering the remand yard people.

MR. WILLINGHAM: But the duties of relieving, showering are duties that existed prior to 1984, the allocation of who carries out those duties has altered has it not?

MR. SALTER: Sorry, could I - ?

MR. WILLINGHAM: You're saying that showering and relieving didn't perform - let me just go back; you are saying that different Officers now carry out these duties because of the change in time?

MR. SALTER: Yes.

MR. WILLINGHAM: Is that what you are saying?

MR. SALTER: Yes, the Senior posted to N. Division he once upon a time when he came in at eight to four used to go straight to N. Division, now he doesn't go straight to N. Division to assist in that Division he goes to remand yard and does the duties that he is required to do there. Once he has completed those duties he then goes to N. Division.

MR. WILLINGHAM: I understand that Officer Salter and bear in mind what I am trying to establish is not the amount of change, because frankly I think we will see as we go through the items of change are so miniscule as to be perhaps not worth the attention that they receive but what I do want to identify is what components of change require greater skills, greater training, greater knowledge, greater expertise to be exercised by Prison Officers. That is the basis upon which work value is to be judged, so if you could bear that in mind for me, I am not looking just for where a change in practice has occurred, because that happens all the time in this, or it may be of no relevance in terms of work value enhancement. I need to know for my own sake and I certainly would want to draw it to the attention of the Commission, those areas where the changes directly result in an enhancement or a requirement for the skills exercised by Prison Officers to be considered for a greater sum of remuneration. Does that make sense?

MR. SALTER: Yes.

MR. WILLINGHAM: Okay. So in item 13, apart from the fact that duties are carried out in a slightly different way and at different times, has the degree of skill required to carry them out altered in any way?

MR. SALTER: No, we have been doing the same all the time.

MR. WILLINGHAM: Thank you. Similarly if I can go to page 3 of that Exhibit in Item 18 headed Maximum Security, you had indicated two things, one at item "B" - I'm sorry that's "H", that - ?

MR. SALTER: "H" Transistor radios.

MR. WILLINGHAM: Transistor radios weren't permitted in cells, although I want to talk to you about that in a moment. And the other one was that not locked in behind the inner grille between four p.m. and eight a.m., they are locked in there all the time except for exercise periods?

MR. SALTER: Mmmm.

MR. WILLINGHAM: Okay, just go back to the transistor radios; I'm not really sure that anything turns on it but I understood you to say in discussions with Mr. Shirley that in fact perhaps they can have transistor radios in their cell?

MR. SALTER: That's at the discretion of the Deputy Chief Superintendent or the Chief Superintendent, who is answering the request of the inmate. But it has been - gosh I can't remember the last time a radio has been in N. Division, since I've been there working as a Senior Officer-in-Charge of N. Division, it has been the last five years, -----

MR. WILLINGHAM: Look, not much turns on it Officer Salter, I was just going to say to you, or ask you, whether transistor radios are in the cells or whether they are not, is that in your view a matter of any significance?

MR. SALTER: To me personally no, but if most have got radios turned up, if they have got radios in there, and you have got a gaggle of radios going

and there is somebody calling out for help or whatever it may be, you might miss that so consequently someone could injure themselves or something.

MR. WILLINGHAM: Might that not be a problem in the other Divisions where electronic transmission devices are permitted, stereos, T.V's, and what not?

MR. SALTER: Oh yes.

MR. WILLINGHAM: So there is nothing different? A call for help might be not heard elsewhere too?

MR. SALTER: Yes, but the class of inmate that we get in N. Division are different, their attitude you know a little bit different to the inmate that's in the normal Divisions.

MR. WILLINGHAM: I understand that, but -----

MR. SALTER: Because they are isolated in there for so long the mind does play funny things and you know.

MR. WILLINGHAM: But nevertheless where you know other Divisions radios, and T.V's, stereos, are permitted it is possible that someone crying out for help might be not heard if the cacophony of sound was too great?

MR. SALTER: Oh yes, yes.

MR. WILLINGHAM: All right, that completes 62A. Now go to 62B? Now these are all - I'm sorry, Items on the second page, 13 and 14 and 15, Inmates Suffering from Designated Medical Conditions. You asserted those to be all new practices?



MR. SALTER: Yes they are, since, they've all since 1984,yes.

MR. WILLINGHAM: Why do you say since 1984?

MR. SALTER: Well that was when it was that the changes in the Orders is 1984.

MR. WILLINGHAM: I'm sorry, I understand that the Standing Orders dated 1990, but why do you say those practices are totally new since 1984?

MR. SALTER: Well we never - well as far as I know they have never ever been used -----

MR. WILLINGHAM: Well can I just explain, give you some insight into my thinking, we have had prisoners detained in the Risdon complex under the Mental Health Act since Adam was a boy have we not?

MR. SALTER: Yes.

MR. WILLINGHAM: Certainly -----

MR. SALTER: Under the Mental Health Act?

MR. WILLINGHAM: Yes.

MR. SALTER: Sir, I don't really like to comment on that because there is only three inmates that I have known that have been placed under the Mental Health Act and they were in the Prison Hospital for a while, and then integrated into the main Prison system, but others, I am not aware of who -----

MR. WILLINGHAM: Well let's just go through Item 13, now we are talking about inmates who are suffering from medical conditions which may be potentially dangerous to other persons, now that may be mental or physical I assume, is that correct?

MR. SALTER: Sorry?

MR. WILLINGHAM: That inmates who are suffering from medical conditions which may be potentially dangerous to other persons is that both physical and mental condition?

MR. SALTER: Yes.

MR. WILLINGHAM: It is?

MR. SALTER: Yes.

MR. WILLINGHAM: Now is it or is it not correct to say that prior to 1984 some prisoners being accepted within the Risdon complex would have fallen into that category?

MR. SALTER: Yes, they could have done, yes. We've also now in those Conditions we have got hepatitis B, and A.I.D.S. which -----

MR. WILLINGHAM: Yes, can you just be patient with me for a moment, let me just stay on this subject; I am trying to get an answer from the Officer as to whether prior to 1984 this complex ever experienced

admissions of people who were, quote, "potentially dangerous either by reason of mental instability or physical condition"? That is correct?

MR. SALTER: That is correct, yes.

MR. WILLINGHAM: Okay, were there any procedures laid down for dealing with those prisoners at the time of their admission and their incarceration?

MR. SALTER: Not that I know of.

MR. WILLINGHAM: So we just let people in who were potentially unstable and potentially dangerous to the rest of the community in the Prison without any regard, without any procedures whatsoever?

MR. SALTER: I can't really comment on that because I came here in 1983 and we did have a special institution was going then. Prior to that I can't comment. I really can't comment on it, I don't know what the procedures were.

MR. WILLINGHAM: Okay, look I accept that Officer and I won't press that one any further. If we could go to 62C? And we in fact could probably combine 62C, D, and E, because they are all, as I understand it, going to potential suicides and how to prevent it?

MR. SALTER: Yes.

MR. WILLINGHAM: Whilst I accept, and I make this distinction before I ask you the questions, I accept that these are new Standing Orders?

MR. SALTER: They are, yes.

MR. WILLINGHAM: However, the first question I want to ask you Officer is was there no consideration,

no regard whatsoever for potential suicides or for prisoners who could potentially harm themselves prior to 1984?

MR. SALTER: No. No, there wasn't a written word but we used to be conscious of the fact that you know if someone was potentially dangerous to themselves we'd get in touch with the appropriate people with regards to them.

MR. WILLINGHAM: All right. Now 62E, as a matter of interest.

MR. SALTER: 62E which?

MR. WILLINGHAM: That's the one - that is R.16 Suicide Prevention Suits.

MR. SALTER: yes.

MR. WILLINGHAM: What is a Suicide Prevention Suit?

MR. SALTER: Can I be honest with you, I have never seen it.

MR. WILLINGHAM: Is the reason you have never seen it because they have never been used?

MR. SALTER: Only on hearsay I can speak on this, but I have heard that they have been used in the Prison Hospital. Whether the practice is still in force I don't know.

MR. WILLINGHAM: You are unable to help the Commission because you have not seen one?

MR. SALTER: I have not seen one personally, no.

MR. WILLINGHAM: Oh that's final, I'll leave it at that now. If we could go to 62F, Prisoners

Visits. And that's Standing order A.4? On page 2 you said the only alterations were Item 8 and Item 9A, and on page 3 you noted that an additional function was the keeping and recording of visits, visitors, and places where they visited, in a diary by the Officer-in-Charge? Now I just want to check with you, those three alterations are alterations to this Standing Order? So the alteration for instance at Item 8 or Item 9 where the prisoners now have weekly visits rather than fortnightly and detainees three times a week rather than twice a week, those are changes to this current Standing Order?

MR. SALTER: They are, yes.

MR. WILLINGHAM: And they appear in a Standing Order?

MR. SALTER: Sorry?

MR. WILLINGHAM: Do they appear in a further Standing Order?

MR. SALTER: No, there are - a notice that has been put out on a notice board. Not so much the Duty Chief in 8, but number 9 there was a notice put around all Divisions and appropriate areas of the Prison with regards to the changes of the visits.

MR. WILLINGHAM: What changes - just to use maybe a useful illustration I hope to the Commission, in relation to this particular Standing Order A.4? Now it is true is it not that prisoners have been permitted visits prior to 1984?

MR. SALTER: Oh yes, yes.

MR. WILLINGHAM: So in relation to the procedures and the Regulations and the Rules surrounding prisoners

visits prior to 1984 and now what has changed?

MR. SALTER: Just the frequency of their visiting rights.

MR. WILLINGHAM: So if I can be perfectly clear on this then the change that you assert has occurred since 1984 in relation to prisoners visits is that, as I have already indicated, prisoners may be visited weekly instead of fortnightly, detainees three rather than two times a week, that special visits are normally granted by the Chief Superintendent only or in his absence by the Deputy Chief Superintendent? And you indicated to the Commission that that may be a function authorised by the Duty Chief or the Principal at weekends or in the absence of those two Officers?

MR. SALTER: yes.

MR. WILLINGHAM: But in fact the Standing Order would tend to suggest that because it says "Special visits are normally granted" mainly by those people, doesn't it?

MR. SALTER: Yes, normally granted, yes.

MR. WILLINGHAM: Yes, and if we go over the page - well there's not much point going over the page, but in that compendium of rules and regulations for visits to N. Division you say that there is now a diary kept?

MR. SALTER: No, not so much just pertaining to N. Division people but there is a diary kept over in the visiting box with the inmate's name, the box number, and the visitors that have come in, like two adults and a child or whatever it may be, depending who is in the Officer area.

MR. WILLINGHAM: Were records not kept previously

of visitors to the Prison complex, and to whom they made their visits?

MR. SALTER: Not in the visiting box as much as - they are kept at the main gate, they have a visiting card at the main gate and when the people come in their name is marked down next to the date and everything and of the inmate who they are visiting. Use to be just put down on a piece of paper for your reference at what time they came in. Now it's in a book and it's there all the time, it is used as a secondary backup if say things are found on the other side of the visiting box, you know like contraband, is found on the other side of the visiting box -----

MR. WILLINGHAM: I am going to have to ask you, I know I am going to regret this?

MR. SALTER: What contraband is?

MR. WILLINGHAM: Come on tell me?

MR. SALTER: Could be medication.

MR. SALTER: --- of some sort, like Mogadons or things like that, drugs, marihuana, opiates and things like that, that's what we call contraband. Money is contraband. So things that the inmates are not allowed to have within the Prison system.

MR. WILLINGHAM: How much do you find of this contraband?

MR. SALTER: These present days not very much, but it has been found, I have personally found stuff myself so - but it's not regularly, you get the odd time, it is not a common practice for people to just go in there and deliberately do it, but it can happen, and what the diary - the Officer has on the other side of the visiting box might assist in finding out who was in that area and you can eliminate it down to who the offender was who brought the contraband in.

MR. WILLINGHAM: But essentially the duty then such as it is of keeping the diary is just a factual recording of who has gone where and with whom?

MR. SALTER: Yes.

MR. WILLINGHAM: Is it similar to the diary that is kept at the Prison farm at New Norfolk?

MR. SALTER: I have never seen what they keep at the Prison Farm, I can't comment on that, I have not seen what diary they keep up there, not being associated with it.

MR. WILLINGHAM: No, that's fine. I will just take you through to 62G? My understanding, from your evidence, - do you have that one?

MR. SALTER: Yes.



MR. SALTER: Yes.

MR. WILLINGHAM: I'm sorry I should have identified it, it is A.21, on page 2, you indicated to the Commission that a subsequent change to this Standing Order is that Item 5 is no longer carried out?

MR. SALTER: We try not to carry it out because well there is really no need for it now because as I said with the personal alarm system that we've got the appropriate people are there on the coalfront before you know, before we had the personal alarm systems you probably had to - well you had to lock them away because nine out of ten times the Duty Chief or the Principal, or whoever it may be, weren't there, but with the personal alarm system now those people are right there and they can assist the situation and take the appropriate action that is required.

MR. WILLINGHAM: It's an unfair question to ask you Officer Salter because I have got first-hand knowledge of this but are you a fan, are you a strong supporter, of the personal alarm system?

MR. SALTER: Yes.

MR. WILLINGHAM: Do you think it's better than the previous system?

MR. SALTER: Yes.

MR. WILLINGHAM: Thank you. Oh for the Commissioner's information, Commissioner may I ask, you have seen the personal alarm systems, the units that are used?

COMM. IMLACH: I don't know, I believe I may have but I can't remember.

MR. WILLINGHAM: Commissioner if I might side-track

I'll arrange during the course of the day for one of the units just to be brought along so that you can see precisely what it is that is being spoken about here.

COMM. IMLACH: yes, I could well have seen it, but it doesn't hurt to remind me.

MR. WILLINGHAM: Well we will arrange that during the course of the day. Thank you Officer, we go on to, not much longer, 62H. The classification standards, that is Standing Order A.31, you said as I took down your evidence, that that Standing Order remained unchanged essentially?

MR. SALTER: Essentially, yes. In my time in the Prison I haven't been in a situation where I personally have had to classify an inmate so this Order as far as my own personal responsibility is concerned I really couldn't comment on it very much.

MR. WILLINGHAM: That's fine, yes, that's fine. Well I suppose, I say it's fine, I don't want to pressure -----

MR. SALTER: I should have a knowledge of it, which I have as per the Standing Orders, but -----

MR. WILLINGHAM: I am happy for you to say that you don't have knowledge of it and I am also happy to take your previous evidence that it has remained, as best you knew, unchanged, the only clarity I was going to seek above that was that are you saying that it has remained essentially unchanged since 1984, or are you saying that this Standing Order has remained unchanged since it was put into place, unchanged since 1984?

MR. SALTER: Has remained unchanged, yes.

MR. WILLINGHAM: Thank you. Go to 62I, which is the classification and allocation of prisoners, and again I recall that you qualified your comments on the basis, please correct me if I am wrong, that you haven't personal involvement with this and so you weren't in a position to speak first-hand on it, is that correct?

MR. SALTER: yes, that's correct. The only thing that I have ever had has been as an observer at a classification or you know my comments have been called on on certain prisoners, that's all.

MR. WILLINGHAM: yes. What, in terms of the classification Committee, Commission, if that's the bottom paragraph of page 1 of 62I and then the first parts of page 2. As far as Prison Officers are concerned what responsibilities or duties do they have in relation to that Committee?

MR. SALTER: The only responsibility they have got if they are called upon by the Committee to pass comment on the person that is being classified, then they give an accurate description of what is required to the classification Committee.

MR. WILLINGHAM: Indeed, but that would be no more than a Prison Officer factually answering questions?

MR. SALTER: Yes.

MR. WILLINGHAM: In the same way that if for instance a Senior Officer wanted to ask questions about a report of any nature, your responsibility, indeed your duty would be to answer it factually?

MR. SALTER: Oh yes.

MR. WILLINGHAM: It's no more than that is it?

MR. SALTER: No.

MR. WILLINGHAM: The Prison Officers for instance who are called as ex officio members of the classification Committee would not have a vote for instance would they?

MR. SALTER: Have done.

MR. WILLINGHAM: In what context?

MR. SALTER: To the - oh it has only happened since I've been promoted to Senior Prison Officer that I have been called to sit on a classification Committee, and -----

MR. WILLINGHAM: I'm sorry, I'm sorry I am misleading you. To the extent that the Chief Prison Officer reception for instance is a member of the classification Committee or the Principal Prison Officer is a member of the classification Committee, they have a vote because they are part of that Committee?

MR. SALTER: Oh yes, yes.

MR. WILLINGHAM: I'm sorry I was misleading, I am talking about those Officers in that second paragraph who are - may attend where the Chairman considers they could assist the Committee, those Prison Officers don't have votes on the Committee do they?

MR. SALTER: They have done.

MR. WILLINGHAM: How could they, under the terms of the Standing Order?

MR. SALTER: I don't know but they have been asked and it has happened.

MR. WILLINGHAM: Well could you instance where it has happened?

MR. SALTER: I can't name the inmate, but it was a down-grading of his security status, from maximum to a lower category, to medium or minimum, and the vote was put.

MR. WILLINGHAM: And the Officer got a vote?

MR. SALTER: I did, yes.

MR. WILLINGHAM: Which Officer are we talking about, what Rank?

MR. SALTER: Senior Prison Officer, which was myself. I was the Duty S.R.O. and I was asked to go into Mr. Harris' office and -----

MR. WILLINGHAM: S.R.O.?

MR. SALTER: Senior Relief Officer. And I was asked to sit in on the classification that day and I did have a vote.

MR. WILLINGHAM: But were you acting in Mr. Harris' position were you?

MR. SALTER: No, no, no, Mr. Harris was the Chairman, Mrs. Rainbird was there, Dr. Gerry Von Bamberg was there, Mr. John Perkins was there, and myself.

MR. WILLINGHAM: Right.

MR WILLINGHAM: Apart from the unusual circumstances which I shall take up with Mr Marris a little later - giving a vote when you weren't entitled to one. How many other Officers are you aware of who have been called as observers who have been in a position to cast a vote on the classification of a prisoner?

MR SALTER: I can't personally say whether they've had a vote or not. I couldn't say that. But I do know that other Officers have been called up to classification proceedings.

MR WILLINGHAM: Oh, certainly. No, I'm talking - - - - -

MR SALTER: But I can't - I can't say whether they've had votes or not. I honestly can't because I wasn't there at the time.

MR WILLINGHAM: We'll find out. 62J, if I could take you to that, that's Standing Order A33, and really I suppose covers what we've already discussed. By layman's terms Officer I sort of saw this as basically almost part of the instruction manual with the alarm systems, is that how it could be properly described do you think?

MR SALTER: Mm.

MR WILLINGHAM: It's just the procedure that goes with them and that's effectively it, is it not?

MR SALTER: Yeah.

MR WILLINGHAM: Okay. 62K, now you said that, as I understood your evidence, that this was the same, it had not changed since 1984, that's how I interpreted what you said?

MR SALTER: Yeah.

MR WILLINGHAM: Right, okay. 62L you said was, and that's Standing Order - goodness, I can scarcely read these, I've got the previous witness' problem, E8. Now "Medical emergencies and infection control procedures", these, you say, were essentially all new?

MR SALTER: Mm.

MR WILLINGHAM: I want to go into these in some detail. I want you to take me through, based on your experience, what sort of preventative measures and procedures were in place in 1984 and prior to 1984 in relation, for instance contacting hepatitis A, B, sexually transmitted diseases, other contagious diseases, which presented potential problems for both inmates and staff as distinct from what's contained in the Standing Order?

MR SALTER: Well 1984, we weren't - we weren't aware of the AIDS virus for a start.

MR WILLINGHAM: Sure, but you were aware of hepatitis?

MR SALTER: But it wasn't - it wasn't pushed at us like it is now, you know - - -

MR WILLINGHAM: Well let's take less exotic diseases. I mean shingles - not shingles, scurvy, crabs - we might put it in the nicer heading of generally sexually transmitted diseases perhaps without going into the gory - I'll talk to you about that later.

MR SALTER: Yeah, all right then, yeah.

MR WILLINGHAM: Those sorts of things, they were clearly something which was - were reasonably well known to the authorities, what sort of measures were then in place to avoid or curb or control outbreaks?

MR SALTER: Right. With the sexually transmitted diseases, i.e., herpes and so forth, the preventative measures in those days were that the inmate was transferred to the hospital for medical treatment for the infection, whatever it may be, and his cell and all his clothing and bedding and everything that was in it was given a bomb, that's it.

MR WILLINGHAM: You might just - I know what you mean but for the purpose of the record the bomb is?

MR SALTER: It's a detoxification process that they put into the cells to clean it out, to kill the infection, and they smell.

MR WILLINGHAM: Nothing as badly as before they were exploded I understand?

MR SALTER: No. But with the introduction of the kits that we now have in the Divisions - of course we are all now aware and we are trained in the use of that stuff. When we had some training courses we were shown how to use the - like the reviver tube, the disinfectant and so forth.

MR WILLINGHAM: Well let's go to the emergency kits. Again in very loose terms we could call those 'First-Aid Kits', couldn't we?

MR SALTER: Yes, yes.

MR WILLINGHAM: And it's in fact what they are, isn't it?

MR SALTER: Yeah, they are a first-aid kit, yeah.

MR WILLINGHAM: The sort of thing the Commissioner and I are required to carry around in Government cars, do you ever see them?

MR SALTER: No, I've never seen what you carry.

MR WILLINGHAM: When we're finished I'll take you and have a look and you can tell me. So the possession of first-aid equipment and both the training required to use it - in fact the responsibility to be able to practice first-aid is scarcely new, is it?

MR SALTER: It's not, no.

MR WILLINGHAM: It goes way back beyond 1984, doesn't it?

MR SALTER: Yeah. We used to be paid in those days a first-aid allowance.

MR WILLINGHAM: Yes, I remember it well.

MR SALTER: We - I think the school that I came on in 1983 was the actual first school not to have to go through a first-aid - a full first-aid course.

MR WILLINGHAM: I was just going to come to that point. Wasn't it a fact that up until, I was going to say 1984, that the requirement for all Officers was the St. John's certificate course which had to be upgraded theoretically annually but certainly regularly?

MR SALTER: Well I think Craig might be able to back me up on that, but our school, we weren't given the first-aid - - -

MR WILLINGHAM: I'm not going to quibble about a year. Look, I mean it is a matter of record that there was some dispute about the fact that people were in receipt of a substantial first-aid allowance as it was then contained in the Award but hadn't actually qualified for it because they either hadn't passed the initial course or hadn't received the necessary upgrading. However, it is a fact that let's say in '83, or prior to 1984, Officers were required to carry out and successfully pass the St. John's course?

MR SALTER: Yes.

MR WILLINGHAM: There is now a lesser degree of training required for the carrying out of first-aid?

MR SALTER: Yes.

MR WILLINGHAM: And I suppose, I'll just finish on the basis, do you know what happened to the first-aid allowance, when it finally went?



MR SALTER: You're only trying to get me because I was in on that one.

MR WILLINGHAM: I know you were there. No, I'm not trying to get you, I'm trying to get you to explain for the Commission's benefit because I already know and perhaps the Commissioner does so we'll say for the transcript's benefit, what happened to the first-aid allowance for which - for which there was a previous requirement that you complete the St. John's certificate course?

MR SALTER: I think it was given to all Officers regardless of whether they had passed the course or not and placed into their wage.

MR WILLINGHAM: For all purposes. If we could go to exhibit 62M which is Standing Order E9, which is procedure for emergency contact of nursing staff, I don't actually have any familiarity with this particular system either, so the paging system, Officer, is what? A transmission device, a telephone, a - - - -

MR SALTER: It is - no, it's a transmission device. I don't know, have you viewed our camera room or Main Gate area to see the - there's a little black box down in - which we use for 2-way radios and to contact our vehicles and also our farm - our work gangs and everything, that's also over at the Main Gate, and is used by the Main Gate Officer on nightshift to contact - to be in contact with the Hayes Prison Farm. That is what the system works on.

MR WILLINGHAM: Thank you, okay. Is this facilitating this new system that is - not the Standing Order, but the system that's now in place, does it facilitate communications, vital communications, between various areas of the complex?

MR SALTER: Between the Main Gate 1 and the nurse or the camera room and the duty nurse, or Director of Nursing and - - - -

MR WILLINGHAM: Nothing greatly turns on an Officer, really, I promise you.

MR SALTER: Yeah.

MR WILLINGHAM: Whether there's, you know, it's a Chief Prison Officer or it isn't, I'm talking about the system itself. I'm merely interested is whether the system, irrespective of who it picks up, facilitates, is a better system, a more efficient system, then that which it replaced?

MR SALTER: Oh, yes, yes, because the old system was the telephone. This way you get the person straight away.

MR WILLINGHAM: Just so that I can be perfectly clear in conclusion, Officer - I'm sorry, a question that Mr Shirley asked you in relation to the total number of Standing Orders, you evidence, I think, suggested it was somewhere between 60 and 70?

MR SALTER: Yeah.

MR WILLINGHAM: Now - - -

MR SALTER: It wouldn't surprise me if you said it was more.

MR WILLINGHAM: I have absolutely now idea and I can assure you I'm not going to go and find out either, but I'm happy to say there is about 60 or 70, but of those 70 you or your advocates have selected 13. Now you have categorised quite plainly which ones are totally new Standing Orders in the period under review in this case and those which are - were existing Standing Orders prior to 1984 and you've identified where the changes are, so I want to ask you this question/ Except where you've identified that they are new Standing Orders is it correct for me to put to the Commissioner at a later time that all of those other Standing Orders were in force in 1984 and prior to 1984 except to the extent where you've indicated the changes that I've taken you through?

MR SALTER: Yes. I'd have to go through my Standing Orders which Craig is looking at there at the present moment. I pride myself on the fact that I keep my Standing Orders up to date. Whenever a Standing Order is brought out I make sure that they're up to date. There are - - -

MR WILLINGHAM: It's only in relation to these 13, you're not being questioned on the 70 or whatever it is, only on these?

MR SALTER: Yes. Well I'd say, yes.

MR WILLINGHAM: Thank you. Look, I really appreciate your assistance Officer, thank you. Thank you, Commissioner.

COMM. IMLACH : No questions from me Mr Shirley, your go.

MR SHIRLEY: Thank you very much, sir. Just a couple of matters by clarification if I can. You were questioned about transistors or radios in the cell and what significance that had?

MR SALTER: Yeah.

MR SHIRLEY: I'll just quickly find the exhibit, I believe it was 62A, TPO of 62A R7 and it appears on page 3 and then Maximum Security H is the particular reference, and you were asked about the significance and you talked about the need to be aware of what's happening in the cells and what have you. You indicated in your earlier evidence

that you searched the mills for - to ensure that there was nothing in that?

MR SALTER: Yes.

MR SHIRLEY: Is it possible that transistors may also have some other foreign device to be smuggled into cells? Is there a security aspect that is also important?

MR SALTER: Oh, yes. You know, well, things could be put in the back of radios, razor blades, tobacco, it's amazing where they can fit the stuff. If anything comes into the division it is searched regardless of what it is, it is searched.

MR SHIRLEY: All right, thank you very much. You were also asked questions and quickly flick through, I believe it's 62B which for your purpose is R8, Criminal Courts Holding Centre, and you were asked a number of questions about - in particular to the changes you had identified as being changes since 1984, 'Inmates suffering from designating medical conditions', Items 13, 14 and 15, and you were asked questions, as I understand it, and I want to test your understanding of what was put to you about whether or not there had been other similar risk people in the hospital. Or did you understand the questioning to be similar classes of inmates in the criminal courts holding centre?

MR SALTER: Yes.

MR SHIRLEY: You did?

MR SALTER: I did, yes.

MR SHIRLEY: As a holding centre?

MR SALTER: Yes.

MR SHIRLEY: So your responses were in relation to holding centre?

MR SALTER: To the holding centre, not to the prison hospital. I was pertaining to this order.

MR SHIRLEY: Right. So you didn't understand the questions to be activities, previous activities, in so far as other prison activities but in reference to the holding centre?

MR SALTER: To the holding centre, yes.

MR SHIRLEY: Okay, thank you. With regard to, I believe it's TPOA62E, 'Suicide Prevention Suit', you'd indicated that you weren't aware of whether or not there was - well you hadn't seen a prevention suit, suicide prevention suit?

MR SALTER: No, I haven't, no.

MR SHIRLEY: And you said that you haven't seen one. Is it not true - or is it true that if you were required to act in these set of circumstances that you would follow this procedure?

MR SALTER: Yes.

MR SHIRLEY: Right. And you may have a personal view about whether or not there is a suicide prevention suit but because you've been directed to by Mr Marris, the General Manager, and he's issued a Standing Order, talking about suicide prevention suits, that you need to be aware of it and follow that procedure if the need arose?

MR SALTER: If the need arose, yes.

MR SHIRLEY: Right, thank you.

MR WILLINGHAM: Commissioner, you'd be disappointed if I didn't say - may I just say, with great respect to my colleague, this is not re-examination. I have never at any stage of my questioning queried the authority and the legitimacy of the Standing Order. My question was merely whether Mr Salter could tell me what a suicide suit was. He said he couldn't, he had never seen one. That was the extent of my cross-examination. I do believe that Mr Shirley is exceeding what is proper under re-examination by continuing a line of questioning which wasn't raised in cross-examination.

MR SHIRLEY: Well I understood the questioning line and it appeared to me, and I might be in error, that there was some degree of uncertainty to the value of this particular item.

MR SHIRLEY: Now where Mr Salter might have a particular view about certain Standing Orders there is an obligation under his part, and I'm just clarifying that.

MR WILLINGHAM: With respect, Commissioner, it's never been suggested, and it could not be suggested, that an Officer doesn't have an absolute responsibility to adhere to Standing Orders, that wasn't the issue. The issue, as I understood it, was to gain information in relation to changes. Mr Shirley has done that at some length and I've cross-examined on it. At no stage will the record show that I placed in question the value or the validity of the Standing Order. Merely whether Officer Salter could assist me in relation to what was a suicide suit. He said "No, he hadn't seen one", I left the questioning there.

COMM. IMLACH: Well Mr Shirley is following the subject matter. I don't particularly take exception to that.

MR WILLINGHAM: Well I just say, Commissioner, that I think the re-examination rules that have been established by yourself, sir, and other members of the Commission, do require re-examination to focus upon - re questioning by the principal advocate to focus on matters raised in cross-examination. Not an opportunity to embellish or fine up or sharpen up evidence which he's adduced by way of questioning in chief, and that to me, sir, with respect, was what Mr Shirley appeared to be doing.

MR SHIRLEY: Mr Commissioner, I put it purely and simply on the basis that the matter of the suicide suit was raised by Mr Willingham and I've pursued it and if you think it's out of order I suspect you'll rule on it, but all the matters that I've raised not only with this witness and intend to raise a couple of other items with the last witness, have been raised as a result of questions put in cross-examination and I'm re-examining on those matters, even if it's purely just to clarify them, but they've certainly been raised in re-examination.

MR WILLINGHAM: Well with respect Mr Commissioner, that is my point. The purpose of re-examination, I submit strongly, is not for the purpose of clarifying evidence in chief. The purpose of re-examination is to go to details raised in cross-examination. It is not, in my respectful submission, the purpose of re-examination to clarify anything going into evidence in chief.

MR SHIRLEY: That's right, I'm not touching on the matters that go into evidence in chief. They were certainly raised in chief and you've queried them and I'm clarifying them.

COMM. IMLACH: What Mr Willingham is saying, as I understand it Mr Shirley, is that that's not the point he was talking about.

MR WILLINGHAM: Precisely, Commissioner, thank you.

COMM. IMLACH : Yes. Well, I take your point Mr Willingham. I really don't see that - are you requesting me to strike out what Mr Shirley has put to me in this regard?

MR WILLINGHAM: Look, Mr Commissioner, I've tried very hard to, despite accusations to the contrary, not to bog this down with technicalities and stuff like that. I mean the alternative for me is to just pipe up and say, "Look, Commissioner, could I ask your indulgence for further cross-examination because I don't think this particular line was properly carried in evidence in chief and therefore I didn't have a proper opportunity to deal with it". I've been patient. I don't think the record will argue against my proposition that Mr Shirley's re-examination has taken on the character of clarification of evidence in chief rather than sticking to the points of my cross-examination. But if the Commissioner thinks it's a more appropriate way to go I'll just bob up where I think it's appropriate and ask for a further opportunity for cross-examination and accept your Ruling on the matter. But in all matters such as this where there is a lengthy number of witnesses and a great volume of evidence and greater weight of written material where it's something of a disadvantage. We've had this conversation with you before where we get bounced with - or I get bounced with what is literally going to be hundreds of pages of documentation today. Now it is open to me because the Commissioner has already Ruled that I can just defer this and bide my time in preparation and delay the case even further. Now I try not to do that and I try to pick up those points which are elemental to my colleagues submissions but I think - I think there are some areas where we're entitled to seek what we believe is the appropriate Commission protection and one of them is in the Rules of Evidence. Now we stick to them and I expect Mr Shirley to. Now he's been leading his witnesses more than I would like today but I said, "Yeah, okay, look it's, you know, it's not a High Court, been putting words in the mouths of his witnesses all morning. It's mostly matters of fact, they're not deleterious to my case, I'll let them go." It's always a question of judgment as to whether you bob up everytime you think there's a transgression or whether you bob up when you think the transgression affects your case. Now I just raise that point. I conclude by saying that I think Mr Shirley's re-examination is not properly focusing upon the issues that were raised in cross-examination. I contend Mr Shirley's re-examination is an attempt to elaborate, clarify or repair some elements of the evidence in chief, and that is not the purpose, in my respectful submission, of re-examination. Having said that, Commissioner, I'm in your hands.

COMM. IMLACH : Yes. Well you've put me on the spot a bit Mr Willingham in that I hadn't been taking it to that extent. I felt that, and tell me if this is what you're pointing to, that Mr Shirley was saying that it doesn't

what the witness says about the suicide suit he's supposed to know what to do anyway?

MR WILLINGHAM: He elicited that in his evidence in chief.

COMM IMLACH: Yes. Well that was - yes. And what you're saying is he's going back to it now?

MR WILLINGHAM: Indeed. It wasn't raised by me, Commissioner.

COMM IMLACH: Well that's right, if we go to that extent, and I accept what you say. But it doesn't really make much difference to me, I'll say that.

MR WILLINGHAM: I understand that, Commissioner.

COMM IMLACH: And if you insist I will because I have to accept what you say.

MR WILLINGHAM: I raised the issue and my colleague and I have had these conversations before you previously Commissioner. I tend to think that it's appropriate, as with all procedures of the Commission, to observe them with some degree of correctness because otherwise not only does it potentially damage my case - I mean let us be perfectly clear about that. If we happen to gain some value in cross-examination to what we believe is the best interest of our case and we're then in jeopardy because the Rule of Re-Examination are not correctly observed and the opposing advocate has an opportunity to lead, or go beyond the cross-examination, I don't then get a further opportunity to repair. I mean that's one of the reasons why a number of advocates will always prefer, and sometimes press hard, that the issue of re-examination is properly observed. More so sometimes perhaps in evidence in chief and cross-examination because it is that advocate that has the final drop on all that's gone before. My view is, whether it's a pedantic view or not, that the Rules of Re-Examination, because of those reasons, ought to be properly observed. However, I don't dwell on it. I didn't know that it was going to take up this much time of the Commission. I just raised it because I thought it was an appropriate thing to raise in the context of those circumstances.

COMM IMLACH: Well look, I take your point, and what I'm saying is that, particularly as you've pointed out, that it was there before, the point. To me it's not particularly significant but if you wish we'll strike from the record?

MR WILLINGHAM: Oh, no, I wouldn't go that far, Commissioner.

COMM IMLACH: All right. Well no doubt Mr Shirley will be even more careful in the future.

MR WILLINGHAM: It hasn't made any difference to him before.

MR SHIRLEY: No, and it won't in the future.

COMM IMLACH : Well - - -

MR SHIRLEY: Mr Willingham has raised the matters, I'm  
- - - -

COMM IMLACH : It is a learning experience for me as well as you Mr Shirley, so I hope I'm learning a bit too.

MR SHIRLEY: I was aware of Mr Willingham's assertions about leading and where I've commenced the question inappropriately I've - and where I've been aware of it, I've attempted to ensure that I haven't overstepped the mark in so far as leading is concerned. If Mr Willingham still has an objection to that, well we'd have a fundamental disagreement, basically.

COMM IMLACH : I hope Mr Willingham doesn't ask me to adjudicate on that.

MR SHIRLEY: And of course you have a view and quite rightly you will Rule on it if it gets pushed that way. However, he quite rightly says that a number of the matters, whether led or not, go to fact and don't unduly prejudice his case, which is what's been said in the past, and I think that's the commonsense approach, and in fact I think you'll find that's the legal approach too, and commonsense prevails and he doesn't decide to make an issue out of it.

COMM IMLACH : Well shall we put aside this matter of suicide suit and get on with it?

MR SHIRLEY: I was moving on to the next question but Mr Willingham intervened and - but - - -

COMM. IMLACH Well I must say Mr Shirley, that Mr Willingham raised a proper point, and as he points out to me, as he's done before, I have to take notice of it.

MR SHIRLEY: Yes. And in so far as the suicide suit is concerned he's talked about whether or not this particular witness has seen one, and that was the extent of his cross-examination, and - - -

COMM: IMLACH : And let that be the extent of your comment.

MR SHIRLEY: Absolutely. And with the other items, I intend to raise those that have been addressed by Mr Willingham, and they're the ones I intend to proceed with.

COMM IMLACH : Please proceed.



MR SHIRLEY: Thank you. 62F, which is A4 Mr Salter, 'Prisoners visits', and on page 2 there was a reference to the nature of the work and the work value change in so far as the amount of reporting - the amount of visits that now occurs, and you had indicated there had been a change between 'sentenced and detainees' in visiting rights?

MR SALTER: Mm.

MR SHIRLEY: And then you were questioned about what were the change practises. Can I just get you to indicate again in so far as your comments to Mr Willingham regarding the diary concerned and the roles and responsibilities of that Officer in charge?

MR SALTER: In the visiting box?

MR SHIRLEY: Yes.

MR SALTER: Just that it's there for a record so that if anything is found in the visiting box then it can give a rough idea of who was there and who left the stuff there, it can eliminate the offending person.

MR SHIRLEY: Right. And is that a new activity?

MR SALTER: The book is, yes. We only used to write it on a piece of paper before for our own reference and then once a person read it went and screwed it up and thrown it in the rubbish bin.

MR SHIRLEY: Right. Okay, thank you. 62G which is 'Standing Order A21'. The contention was that Item number 5 on page 2 - the question was put to you, "Is Item number 5 from page 2 is no longer carried out", that was put to you by Mr Willingham?

MR SALTER: That's right, yes.

MR SHIRLEY: Right. Can I refer you to the last sentence in 5A which says, "The Officer must submit a written report to the Duty Officer - - -"

MR SALTER: The Duty Chief Prison Officer.

MR SHIRLEY: "- Duty Chief Prison Officer on the incident by the end of the shift".

MR SALTER: Yes.

MR SHIRLEY: Has that activity ceased?

MR SALTER: No.

MR SHIRLEY: Right. And B, 5B, "The report will be transmitted through to the principal Prison Officer to the Deputy Chief Superintendent for attention regardless of the Chief Prisoner Officer's action". Is that activity, to the best of your knowledge, - - -

MR SALTER: Yes, still pertains.

MR SHIRLEY: Right. Okay, thank you. 62I, which is Standing Order A32. You were questioned at length to the role of the membership of the committee and you indicated that you had had voting rights in the past. You were asked whether or not the role of the, for want of a better title, Officer who is invited to that committee, was questions only. Do you need to furnish a report?

MR SALTER: What, in writing?

MR SHIRLEY: Yes.

MR SALTER: No.

MR SHIRLEY: It's only questions?

MR SALTER: Only questions.

MR SHIRLEY: Okay, thank you. With 62J, which is the next Standing Order A33, 'Personal Alarms'. You were asked about the alarms and invited to bring along an alarm so the Commissioner could have a look at it. Is there any significant difference between the old personal alarms and the new personal alarms?

MR SALTER: Yes, there is.

MR SHIRLEY: Do the changes - are the changes reflected in this Standing Order, TPI 62J?

MR SALTER: In which way do you mean?

MR SHIRLEY: You gave evidence in chief - - - -

MR SALTER: These are more effective than the older system, a lot more effective.

MR SHIRLEY: Right.

MR SALTER: More effective and efficient.

MR SHIRLEY: Right. In your view is that a new practise, new responsibilities?

MR SALTER: Well we used to have the system before but they weren't as effective as what these new ones are. These are a more efficient and effective system.

MR SHIRLEY: Right. Okay, thank you. You were questioned further about 62L, Standing Order E8, and Mr Willingham redefined, I suppose, or used the generic term for the kit used in Item 3 as a 'First-Aid Kit'?

MR WILLINGHAM: Objection. Objection. The question I asked of the witness was "Is it in fact a first-aid kit?" The witness replied, "Yes, it is." It is not a question of me redefining. It is a question of me asking a question to which the witness gave a quite

unambiguous and positive answer. So I would hope that Mr Shirley, since he accused me of being too late on the last objection because he was about to move on, since I hope I've caught him in time, isn't going to go beyond what was elicited from the cross-examination, and I hope that he will amend his suggestion that it was me who redefined what the first-aid kit was, Commissioner. Thank you.

MR SHIRLEY: You offered the alternative of a first-aid kit and the witness agreed with you.

MR WILLINGHAM: Yes, it's what he's there for, to say 'yes' or 'no'.

MR SHIRLEY: That's right.

MR WILLINGHAM: I'm there to ask questions and if he didn't agree, Commissioner, he would have said, "No, it's not right". He said, "Yes, it is", in the same way that my colleague says, "Is that a new activity?" and the witness says, "Yes" or "No".

MR SHIRLEY: But the general feeling is at this stage that that's a first-aid kit, that's the - - -

MR WILLINGHAM: Your witness' answer was "Yes, it is".

MR SHIRLEY: That's right, and so I want to clarify that.

MR WILLINGHAM: And it's not a question of me redefining it.

MR SHIRLEY: Well you were the one who offered it.

MR WILLINGHAM: I've made my point.

MR SHIRLEY: And I think the transcript will show that too. Can I get you to have a look at page 2 - - -

MR SHIRLEY: And read Item 4 please?

MR SALTER: Do you want me to read it out?

MR SHIRLEY: Please.

MR SALTER: "The contents of this box are for the use of emergency situations only and where there is a significant risk of contact with blood and body fluids. It is not to be used as a first-aid equipment for minor injuries."

MR SHIRLEY: Do you still say that the items contained in .3, 'Emergency Kit Contents', are in effect a first aid kit in light of what you've just read in Item 4?

MR SALTER: No, I don't.

MR SHIRLEY: Right. Thank you.

MR WILLINGHAM: Commissioner, in light of the fact that my colleague Mr Shirley is now treating his own witness as a hostile witness I seek the indulgence of the Commission to return to that matter given the line of questioning which is new, that has just arisen.

COMM. IMLACH : Yes, all right.

MR WILLINGHAM: Thank you.

COMM IMLACH : That's when you're completed Mr Shirley.

MR SHIRLEY: Just on that Standing Order?

COMM IMLACH : Yes.

MR SHIRLEY: Yes, okay.

COMM IMLACH : And as I understand it, surrounding the situation with 3 and 4.

MR SHIRLEY: Yeah, okay. I have no further questions, thank you.

COMM IMLACH : Right. Now Mr Willingham?

MR WILLINGHAM: Thank you, Commissioner. I'm sorry Officer Salter, this is not my doing, you appreciate that. If we go to Standing Order E8 62L at Item 3 on the first page of that it says: "In addition an emergency kit held in a keyless security box designed for rapid entry containing the following items will be situated in the office of all divisions, workshops and reception areas." The emergency kit contains emergency safety knife, plastic revive tube airway, plastic aprons, vinyl gloves. It contains disinfectant powder, antiseptic lotion, soluble laundry bags, small hazardous waste bags, large infectious material bags, plastic sharp objects container, non disposable, a packet of disposable washcloths, yes?

MR SALTER: Yes.

MR WILLINGHAM: Yes. Now when - when we go back to 1983, 1984 and 1985, when Officers were required to have the Standard imposed by the St. John's Society, they were required to be certificated and they were paid accordingly, would they or would they not have been fully familiar, fully conversant, with the use of those items. You say 'no'?

MR SALTER: Yeah, because they weren't there in 1985.

MR WILLINGHAM: Well it's not a question of whether they were there. I said would Officers be fully familiar with and conversant with the use of those items given that they were trained to St. John's Standard and paid accordingly?

MR SALTER: Some of the items that are there, yes.

MR WILLINGHAM: Well which items would they not have been familiar with? Which items would you not be familiar with if you'd undergone the complete St. John course?

MR SALTER: Well not having gone through the course myself I don't know, but - - -

MR WILLINGHAM: Would you accept my proposition to you that had you gone through that course then, or were you to go through it now, you would be familiar with all of those items?

MR SALTER: I would be, yes, if I went through the course.

MR WILLINGHAM: Thank you. I have no further questions, Commissioner.

COMM IMLACH: Could I just interpose. That's if those items were included in the course?

MR SALTER: Yes.

MR WILLINGHAM: Commissioner, well that's by way of submission. I'll do it by way of questioning, returning to my cross-examination. The point that I'm driving at is that Officers were trained to a Standard of St. John level, and I put to you and you've just agreed that if that were the case they would be familiar with and conversant with the use of all of the items contained here, you agreed?

MR SALTER: Yes.

MR WILLINGHAM: Is it a fact, let's just take it a step further, and I'm sorry to do this Commissioner, but I can't by way of submission. Is it a fact that Officers still receive basic first-aid training?

MR SALTER: We do get a little - well they haven't had one now for - since our last lot of training courses that we did. We did - - - -

MR WILLINGHAM: Did you get paid for it though?

MR SALTER: Beg your pardon?

MR WILLINGHAM: Did you get paid for it?

MR SALTER: Oh, yeah, it's incorporated in the salary, yes.

MR WILLINGHAM: I've got no further questions, thank you, Commissioner.

COMM IMLACH : Yes.

MR SALTER: Could I make one comment please?

COMM. IMLACH : You may, yes.

MR SALTER: It might clear up the situation with respect to emergency kit and first-aid kit. Amongst the general staff, I suppose it's a wrongdoing, but we call the kit a 'First-Aid Kit' - when they're put in the Divisions we call them a 'First-Aid Kit' and that was it. So that's how I come across the word 'First-Aid Kit' not 'Emergency Kit'.

COMM IMLACH : Yes. Well Mr Wellingham has been, as I understand it, at pains to get you to say, and you did say, that it was a 'First-Aid Kit'. And not only that, he said that those items there were only the items that you would have experienced in your training in first-aid, as I understand what he said. Now that seems reasonable to me except, and this is the only question I have and I don't know, it may be the plastic reviver tube item may have been introduced at a later time, I don't know. But, you see, all the other ones seem to me to be reasonable first-aid items as specified in the next paragraph 4, "In emergency situations only and they're not to be used as first-aid equipment for minor injuries"; in other words, these items are to be used for major or emergency situations.

MR SALTER: That's right, yes.

COMM IMLACH : And it seems to me that they could be used in first-aid except that that item - there may be one or two others but I don't see them, the plastic reviver tube seems to me to have been a more recent introduction. It may still be first-aid but if it is added into the first-aid course to seems to me it's quite significant, but I don't know so we can't really take it one way or the other. Do you know?

MR SALTER: No. Well we've just been shown how to use them, you know, like when the nurses came and gave us lectures. They didn't actually put one down someone's throat. They showed us by diagram how one was to be used.

COMM IMLACH : And you're expected to do it?

MR SALTER: If the situation arose and if a nurse wasn't on hand and the situation arose where it was a matter of life and death, yes. I don't know what the legal ramifications would be if I did something wrong by putting it in place but I would try to do the right thing.

COMM IMLACH : Well can all - thanks Mr Salter. Can I just intervene here and say it would assist me, and I hope all Parties, if this matter of the first-aid training is made clear to us all, what exactly does go on. And then in particular I would like to know are all those items part of the first-aid training course or when they were introduced in particular. That's the only one to me that seems it may possibly have been introduced at a later time, but I don't know. Now is there any objection to that?

MR SHIRLEY: No.

COMM IMLACH : Well I think it would certainly help me. Help you Mr Wellingham?

MR WELLINGHAM: I'd be delighted to assist.

COMM IMLACH : So we know where we are with this particular matter. Right. Now Mr Shirley, do you want to have another go?

MR SHIRLEY: Well it may be that Mr Salter can - do you know when the first-aid training courses were conducted?

MR SALTER: We only had brief - only brief courses. We have a - we did have what were called "The Three Day Courses" here in the jail and one morning was allocated to one of the nurses' coming from the hospital and informing us of it. Another time we are instructed in first-aid on the senior's course. I know we did have it on my senior's course. And also, I think, on our induction course, we might have had a session on first-aid, but nothing that was certificated anyway. And with respect to the two items, the safety knife is a special knife, it's one that a person can't be cut with. If they put a rope around their neck it just cuts the rope it doesn't cut their neck. And the reviver tube is the other thing.

COMM IMLACH : Yes. It's no doubt there are, whether it's an emergency or not, I suppose they're still first-aid items. I would just wonder when they were introduced, particularly the tube?

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MR SALTER: Well those two - actually all of it, all came as a bulk item, they were put in the yards all at once. They were put into the - I'll put them as 'Emergency Kits', I won't say 'First-Aid Kit', but the emergency kits were all put in all in one lump sum.

COMM IMLACH : And they were introduced after 1988, were they, or '84?

MR SALTER: Well after '84, yes. We were also given a pouch system which we carry on our belt, which I haven't got it as my dress uniform, but in my everyday uniform I wear at the jail we're given a pouch with apron, plastic gloves, band-aids and a satchel of Diva-Sulphide 5000 disinfectant, which we can use.

COMM IMLACH : Yes, but - and I presume then Mr Salter, you would not know what type of kit, if any, was available prior to 1984?

MR SALTER: In the yards?

COMM IMLACH : Anywhere in the prison?

MR SALTER: Only what was down in the hospital that was available - oh, we do have a - there always has been a first-aid kit at the main gate. At the main gate one Officer has control of that.

COMM IMLACH : Do you know what it had in it prior to 1984?

MR SALTER: Oh, your band-aids - the basics, just band-aid, bandages, Panadol and - - -

COMM IMLACH : Did it have a tube though? Did it have a tube and a knife?

MR SALTER: No.

COMM IMLACH : Anyway, I would still be pleased to hear any further information. Now Mr Shirley, anything else?

MR SHIRLEY: No. No, further questions, thank you, sir.

COMM IMLACH : Mr Wellingham, are we right?

MR WELLINGHAM: Thank you, Commissioner.

COMM IMLACH : Good. Thanks Mr Salter, after all that, you may go.

THE HEARING ADJOURNED TILL 1 o'clock.



ANTHONY WILLIAM JONES WAS CALLED AND SWORN.

MR SHIRLEY: Thank you, Mr Jones. Can you state for the Commissioner and the record your classification?

MR JONES: Seventeen years as a Prison Officer, lots of Maximum Security, past the senior course in '85.

MR SHIRLEY: Good, thank you very much. I'll show you a document and that's in two parts. The first part says "Maximum security, gallery, kitchen and bakery", and the second part of that document is "Maximum security A to F Divisions, and that's a three page document. Have you got that?

COMM IMLACH: Just a minute Mr Shirley. I've got "Maximum security, witness Tony Jones, rank Prison Officer".

MR SHIRLEY: That's the first page which is like in effect a witness statement, that may come off if - - - -

COMM IMLACH: Yes, I see. So we call that 63.

MR SHIRLEY: 63, thank you. Officer Jones, can you tell me if you've seen this document before?

MR JONES: Yes.

MR SHIRLEY: Yes. And have you had the opportunity to read through the document?

MR JONES: Yes, I have.

MR SHIRLEY: And have you had input to this - to the making of this document?

MR JONES: Yes, I have.

MR SHIRLEY: Thank you. Mr Commissioner, there are some matters that Officer Jones has alluded to in each of these documents that need to be taken out so I'll do that first if I may. In the first document "Gallery, kitchen and bakery", the reference to "telephone calls" and the sentence below that will be taken out of the document. And on the first page of the next document "Maximum security A to F Divisions", at the foot of the first page "post 84 visits", the last sentence in that - in that paragraph which says "At the same time the visits are now 7 days a week instead of Monday to Friday", that sentence will now come out. Both those matters are not part of this case. Now Officer Jones, this is a special case and part of the special case is work value and the things that the Commissioner is particularly interested to hear from you today relate to the change in activities that have

occurred for Prison Officers particularly in these areas of maximum security that you're going to speak about that have occurred since 1984 and have changed the duties and responsibilities of Prison Officers. So the first page of that document called "Gallery, kitchen and bakery", if you would like to read through that making any other comments that you'd like as you go along. If you could read that aloud?

MR JONES: Read it aloud?

MR SHIRLEY: Yes, thank you.

MR JONES: "In 1987 administration introduced some monitoring of these areas by t.v. Patrols are also required and alarm systems monitored in the mess room for any problems Electronic doors: Any pedestrian traffic from the bakery is achieved through newly installed electronic doors which are activated by the Prison Officer on duty in the gallery overlooking the kitchen and bakery. Monitors: The Prison Officer on duty has a responsibility of controlling and observing the activities of both kitchen and bakery area by the use of t.v monitors. This is a new duty and is similar to that of the Officer on duty in the main gate area."

MR SHIRLEY: Right. If I may just interpose there. When you first started reading you said in the first sentence, "these areas are monitored by t.v.", that's the first sentence there. Can you indicate which areas are referred to there?

MR JONES: Well the t.v monitors, there's one directed in each mess room.

MR SHIRLEY: Good.

MR JONES: Two in the kitchen and two into the bakers.

MR SHIRLEY: Right.

MR JONES: And also the new area where the new fridges are and electronic doors and outside into the new loading bay area.

MR SHIRLEY: Right.

MR JONES: I suppose 7 I think, from memory, I think.

MR SHIRLEY: Good. Now in the statement it refers to "electronic doors and monitors", there isn't a specific date alongside those when they were introduced. If you are unable to give the year can you say if it was after 1985?

MR JONES: Yes, it was after 1984.

MR SHIRLEY: Right. Is there anything else that you wanted to add to first page before we proceed?

MR JONES: Yes. Before this introduction of all these t.v., we used to have to just patrol up and down the gallery

- - - -

MR JONES: And just look into the messrooms now. We have a switch which operates a red light above each division so we can signify our problems quicker - so we can deal with a problem quicker. We have those to look after, plus, as T said from memory, it's - no it's more than seven monitors to look after plus walking up and down, plus the kitchen has to call up to us to operate - open these doors for them to go into their fridges, their storerooms and outside into the loading bay. They take a number of prisoners out with them. We have to count them out and we have to count them in. These sort of things go on at any time during the day. How many times? Well T just don't know. But that's the increased duties.

MR SHIRLEY: And those activities weren't conducted prior to?

MR JONES: Prior to 1984. We just had to work (inaudible word due to coughing)

MR SHIRLEY: Okay, thank you. If there's nothing else, would you like to commence reading in the A to F divisions.

MR JONES: Maximum Security A to F Divisions. These divisions are subject to a greater number of movements due to the higher traffic volume of inmates through this division therefore the officer must be vigilant and aware of the inmates presenting themselves in these divisions. Inmates wishing to move out of the divisions to reception, trade areas or kitchen must request a pass and this completed by the officer so that the inmate may move to that area. For example, in the laundry division there would be approximately thirty movement passes a day that must be completed and checked by the officers. Inmates are not all working in workshop divisions and they remain in these divisions. That means they remain in A to F. This being the case the remaining officer must be alert to the activities of these inmates. Officers are regularly called to attend to inmates who want access to their cells. The cells are always locked during daylight hours for security purposes. Post '84 green passes. Prior to the introduction of passes after 1984 inmates moved round the prison once a phone call authorizing this was made. There now is the procedure of completion of a movement pass by the officer on duty. Inmates coming into the division must have a pass or the officer must complete on for that inmate.

MR SHIRLEY: T think that should be "one".

MR JONES: Yes. One, it should have been, that's right,

that's why I couldn't understand it. Officer are required to query any movements that are not authorized and if there are any matters that concern an officer about the movement they are expected to investigate and make a report if they deem necessary.

Post '84 visits. The number of inmates' visits are increased after '84 from one per fortnight to one per week. At the same time the visits are now seven days a week.

MR SHIRLEY: Yes. That has now been deleted - the document.

MR JONES: That's why I didn't read any further.

MR SHIRLEY: Good. Thank you. Right now are there any points you wish to make specifically about any of those things, if not, if there's nothing further to add we can proceed.

MR JONES: Well we can proceed to the next one.

MR SHIRLEY: Good. Thank you.

MR JONES: Welfare. With the introduction of welfare activities in Work Value Period inmates expect more of the Prison Officer in counselling and the handling of complaints and queries. This is now expected by inmates and they are a cause of frustration and a source of agitation on part of the inmate if their query is not resolved as soon they - that should be as soon as they thought it to be resolved. Okay?

MR SHIRLEY: Thought, yes.

MR JONES: Post '84 Canteen Issues. This activity was introduced after 1984 allowing the inmates access to canteen items if they have the resources to purchase items. When the items are received by the inmate they are issued in a paper bag. If the correct order is not enclosed or item have been broken the inmate usually takes his anger out on the Prison Officer, usually in the form of verbal abuse. Prison Officers are now expected to deal with these problems without any formal training.

Post '84 Gas Lighters. Inmates are now allowed to receive gas lighters as part of their canteen issue. However, they are not allowed to have any more than two in their possession at any one time. Prison Officers have now the responsibility of policing this because of the increased possibility of risk if accumulated.

1985 Standing Order Amendments. Following a change to the standing orders inmates are allowed back to their cells as and when they like. Inmates tend to be random in their request to visit their cells. An officer may be engaged in other activities but if the request is ignored the inmate may complain to the superintendent about the matter.

Trade Areas. Inmates are not required to work and with the down turn in the requirement to work inmates are spending longer times in their yards and cells and consequently there is now a greater degree of boredom. This manifests itself in fights and other associated problems. The prison officer is required to sort these issues out.

Post 1984 Weight Rooms. Inmates are granted access weights for a method of exercising. The officer must now also check and verify that all items of equipment are present. The free-standing weights are not allowed to be stored near the cell bars as they may be taken when not supervised. The time in the weight room is limited to two hours at any time and between two to four inmates.

Debating Nights. These take different forms and on some occasions they are family debate nights. The family members are allowed to participate or watch but any person wishing to smoke must go outside. This can leave one officer to supervise the remaining twenty to thirty inmates and relatives. This can cause many other problems associated with inadequate security.

MR SHIRLEY: With that last matter there in relation to debate nights, is that a new welfare activity that has commenced after 1984?

MR JONES: The way it's conducted now, yes. Whereas prior to 1984 the debate used to take place in the mess dining rooms. Where now they take place in Education. Still with one officer and with a lot more sometimes than twenty to thirty inmates. Now when they require smoking breaks - smoking, because of the government policy on smoking, they have to come down outside of the Education and stand in a relatively dark square area with one prison officer supervising. Now I mean you could pass Purity Stores amongst the people who were there at the moment.

MR SHIRLEY: So on that occasion when there are those smoking activities it's not only inmates?

MR JONES: Family members as well.

MR SHIRLEY: Right. Now are there any other items or any other matters that you want to also include now.

MR JONES: Post '84 Visits. We also have outside teams visiting the jail. They just come - I've led to believe that they're told of certain security matters before they come but they still come in with bags of their sporting equipment and they play their sport and then they go out. That's increasing a lot with cricket and football teams plus their supporters.

MR SHIRLEY: Just on that point. What impact does that have for prison officers?

MR JONES: Well you have more civilian people roaming around the jail and not a lot of officers. And because of today's society, I mean, it just gets out of hand and you have - you just sort of, you know, like you're watching a tennis match and it is very risky, very risky indeed. And that's increased a lot.

MR SHIRLEY: Sure. Are there any other matters that you need to address?

MR JONES: Lighters - gas lighters.

MR SHIRLEY: Yes.

MR JONES: We have a member on - a prison officer who has had explosives experience in the Navy and he gave us a small demonstration of what these gas lighters can do if you remove the flint and it's suprising that they could - someone with a head on can make a bomb out of them very, very easily. If you just take out the flint from those and you light the flint so it gets red and you throw it on the floor - we're talking about a minute little thing and it goes poof and it explodes. If you get a few of those together it can be lethal. So we've got that extra pressure on us because we've never had them before. They just used to be issued with matches.

The canteen. They have a lot more items in their cells with the various things they can get on the canteen. Yes, years ago we used to issue canteen and that was just the regular thing of a couple packets of tobacco, a couple of boxes of matches, some razor blades and some tissues. Well now it's various forms of deodorants, lollies, biscuits cordials, chips and if a prisoner is at work and the wardman or someone - and he comes back to his cell and says "oh that's missing" you know, you've got a lot more - you've got to keep your eyes on them a lot more and well the cell's been locked all day but they don't take your word for it. So the increase in canteen facilities is extra pressure on you again.

MR SHIRLEY: Because of the relationship between -

MR JONES: Yes and I mean, if they think that something is missing you're the first one to cop it.

MR SHIRLEY: Right.

MR JONES: It mightn't be missing but there you are it's - you know. Trade areas as well. Now once again we've got the government policy of not smoking, they have to come outside of their workshops to smoke. You search them four at a time. Well you have the laundry, the gate and the woodwork and if anything's going to come into this prison it comes in through the laundry because a van comes from outside. So you have to watch them while they're smoking because they're talking to one another. And I usually do my best to keep them apart but if I've got to go up to the tailor shop which is right at the other end I can't keep them apart then. So if anything's going to be passed that's



when they're going to do it. And as T said this never used to happen before but now they're smoking that's an extra on the - what's mainly workshop front.

MR SHIRLEY: Right.

MR JONES: Apart from what T've read to you, no - written down.

MR SHIRLEY: That covers it?

MR JONES: To the best of my knowledge.

MR SHIRLEY: Thank you Mr Commissioner.

COMM IMLACH: Yes what about this - T just happen to have a piece of paper here "armed posts" what's -

MR SHIRLEY: We don't intend to pursue that. Any of the matters that are covered are covered in the witness's statement from officer Jones, thank you.

COMM IMLACH: That's ours, right. All right thanks Mr Shirley. Mr Willingham?

MR WILLINGHAM: Sorry, T was just confused by the reference to armed posts, T don't think T've got that.

COMM IMLACH: Well it's not there.

MR SHIRLEY: It's not been tendered.

MR WILLINGHAM: Well it is if T haven't seen it.

MR SHIRLEY: No one should - do you want to see it?

MR WILLINGHAM: It's like the bits that they've deleted from this. T've got more interest in what they've deleted than they've left in. Sorry Officer Jones. It won't take very long at all. Can T just take you to page - well for want of a better word - the second page of Exhibit 63 and the paragraph that's under the heading "Monitors". You talk about the installation and use of tv monitors in the bakery area. You say it's a new duty. It's a new duty to the officers in that station isn't it?

MR JONES: Yes.

MR WILLINGHAM: Using television surveillance is not a new duty is it?

MR JONES: Since 1984, yes.

MR WILLINGHAM: Well is that correct? When was tv surveillance installed in this complex?

MR JONES: I can't remember.

MR WILLINGHAM: Well if you can't remember that's fine. I just want to make the distinction with what you're saying. Are you saying that the installation of tv surveillance in this area, in your statement, is subsequent to 1984 or are you saying that all tv surveillance is subsequent to '84?

MR JONES: I'm not saying all, no.

MR WILLINGHAM: Okay fine, so I just get back to my original question then; the duty of television surveillance is new to this station but not new to officers, is it?

MR JONES: What I'm trying to do now is if I can answer this way; is I'm trying to think when the Messroom televisions were installed because they were the first ones to be installed - A to F. Since then the Bakehouse and the kitchen and the corridor and outside loading area have been increased onto those Messroom televisions but I'm not very good on dates.

MR WILLINGHAM: Well look - and I don't expect you to have to be fully armed with them. I'm just saying that as a matter of record tv surveillance was the subject of some examination by the previous work value enquiry and I think that was in 1984 but that's beside the point. What I'm trying to identify is that you're talking about the use of tv monitors in your own statement in the bakery area and you are saying in response to Mr Shirley that that is a new duty or a new activity or a new function.

MR JONES: Let me read it.

MR WILLINGHAM: Well that's what I understood you to be saying.

MR JONES: Well perhaps I should say this -

MR WILLINGHAM: You say it's a new duty.

MR JONES: "This is a new duty and is similar to that of the officer on duty in the main gate area." The amount of televisions we have there is a new duty. We have

increased television monitors. That's the best way I can explain it.

MR WILLINGHAM: Oh look it is - sure, but for the purposes of getting this in its proper context, officer -

MR MARRISS: Jones.

MR WILLINGHAM: No, I was just going to say officer - I wasn't trying to think of his name. I was trying to think of the question - you know what it's like at this time in the afternoon. To put it in proper perspective, what I am saying to you is that the duty of prison officers as a group includes monitoring and television surveillance.

MR JONES: Right.

MR WILLINGHAM: Some of your brother officers and sister officers and everything in between already carry out that sort of surveillance, do they not?

MR JONES: Yes.

MR WILLINGHAM: So the duty of television surveillance itself is not new. The extension of television monitors to various parts of the prison doesn't mean it's a new duty. Do you agree or don't you?

MR JONES: In that context I have to.

MR WILLINGHAM: Thank you. Now if we could then just go to the second last page which is headed "Welfare". What are the welfare activities that have been introduced?

MR JONES: Easier access.

MR WILLINGHAM: Easier access to visitors or to inmates?

MR JONES: No to welfare - welfare problems. Now prior, as I said, they can now obtain - they have far more easier access of obtaining outside calls through welfare. They have - welfare has been increased for their benefit. They have more - God I'm trying to think of the right word - more items that they can get through welfare. Welfare is more lenient to them but if they still don't get what they want at a particular time there's a lot of abuse goes around and we can be on the - they can back before welfare - one prisoner, I, you know, can't remember his name, but in the divisions, a prisoner can go down there five times in one day over a relatively trivial matter about he wants

to make a phone call to his wife to assure him - well going up the farm for argument's sake. And he's been back and forward. Now we have to determine now - Carmel Rainbird and Lyn Giddings have got a very busy time.

MR WILLINGHAM: I'm sorry I'm going to have to ask you who Carmel -

MR JONES: They're the welfare ladies.

MR WILLINGHAM: Thank you.

MR JONES: They have a lot of other people to deal with and we have to judge whether this fellow is putting too much pressure on them in taking - jumping the queue and things, you know - do you understand me?

MR WILLINGHAM: Yes, what you're saying is if you don't let them jump the queue they take their anger out on you. Is that what the effect of your -

MR JONES: I would rather not say.

MR WILLINGHAM: Their frustration and source of agitation. Is that what -

MR JONES: That's better, yes

MR WILLINGHAM: Okay, thank you, I understand that. Thank you. If we could just go to the next heading.

MR JONES: Which one's that?

MR WILLINGHAM: Sorry - the Post '84 Canteen Issue.

MR JONES: Yes.

MR WILLINGHAM: And it's actually connected to the previous things because in this one you say that if the prisoner gets irritated he or she usually takes his or her anger out on the prison officer usually in the form of verbal abuse, which I guess is a link to the previous frustration and source of irritation reference. But I mean, what happens I mean if I could put this in a very vernacular fashion, I mean, if a prisoner slags you you whack them on report, don't you?

MR JONES: Yes.

MR WILLINGHAM: So it doesn't advance the prisoner's cause terribly much to verbally climb into you does it?

MR JONES: They still climb into you.

MR WILLINGHAM: How often? An old hand like you, how many of them climb into you Officer Jones?

MR JONES: In the past they used to climb into me a lot.

MR WILLINGHAM: How often in the more recent times?

MR JONES: Sorry but I can't put a -

MR WILLINGHAM: Well no, but I mean, I'm interested to know. You're the witness and I've got you here and I want to ask you. You're an old campaigner. You've been around the complex a long time. You know these people inside out,

probably none of them you don't know. How many of them verbally haul off at you nowadays?

MR JONES: A few. Not too many because -

MR WILLINGHAM: Give me a for instance please, of the last occasion.

MR JONES: Well going back some time now I had a canteen bag that full and I just put it in a cardboard box and pulled his name out and I gave it to him and I looked at my hand and on the bottom of my hand was shampoo because the bottle had crushed and catches hold of the bag and he puts his hand on like that and if he were to have taken the shampoo bottle out like that he would have had no problem but he said "what's wrong with this boss?" You've got shampoo over the whole lot and then he just throws it at you and I just stand there a look at him and only because I've been there a long time I just laughed it off. Now whereas before I would have booked him but to be quite honest you book the prisoners today and you're virtually wasting your time because he will just go over and get a smack on the wrist for abusing you.

MR WILLINGHAM: Sign of the times I would say.

MR JONES: Pardon?

MR WILLINGHAM: Sign of the times.

MR JONES: I'm afraid it is.

MR WILLINGHAM: I won't dwell on that because I don't think

MR JONES: That's the type of thing I mean. This can happen a lot, I mean, you go weeks and it won't happen at all and the next time it will happen quite often but I'm inclined to - you know what I mean.

MR WILLINGHAM: Can we just go to Post '84 Gas Lighters. Now you said in answer to a question to my colleague, Mr Shirley, that previously they included matches and I assume you meant boxes of matches?

MR JONES: Yes. Just the ordinary sort of box.

MR WILLINGHAM: Do you believe that gas lighters - butane lighters are necessarily more dangerous than a box of matches?

MR JONES: Yes I do.

MR WILLINGHAM: For what reason?

MR JONES: Well as I said the prisoner officer here who has had five years' experience in the Navy - recent experience in the Navy with explosives, gave us that demonstration. And also I'm led to believe that we're the only jail in Australia that issue these lighters. That's a belief. But these lighters attached together can produce a bomb and can blow a cell door off if they're used correctly

MR WILLINGHAM: We're talking about this kind of butane lighter are we?

MR JONES: That's the kind, yeah.

MR WILLINGHAM: Do you know what happens to that if you puncture it?

MR JONES: I don't smoke so no I don't know.

MR WILLINGHAM: Do you know what happens to the lighter if you puncture it?

MR JONES: No.

MR WILLINGHAM: Okay. Trade areas, the last paragraph on that same page. You say inmates are not required to work. Is that correct?

MR JONES: Yes, with a downturn in their requirement to work. There's not much work in the trade areas now.

MR WILLINGHAM: So you're saying that work in the yards is voluntary is it?

MR JONES: No, I'm not saying that.

MR WILLINGHAM: Well I'm sorry, what's the difference between not required and voluntary?

MR JONES: Well they get - perhaps I should go through the classification procedure. They get classified to certain work areas.

MR WILLINGHAM: So some prisoners are required to work?

MR JONES: They are required to work. They get classified into certain areas. But at the moment there is hardly any work in -

MR WILLINGHAM: So even if they are required to work there isn't sufficient work available, is that what you're -

MR JONES: Yes.

MR WILLINGHAM: I'm sorry, yeah okay. That makes more sense of it. I'm sorry, I misunderstood that. In the same paragraph you talk about the fact that the inmates, because of this decrease in the amount of work available, are spending more times in the yards and cells and getting more bored, or there is a greater degree of boredom and you say it manifests itself in fights and other associated problems. Statistically is the incidents of fighting, or the outbreaks of fighting on the increase or on the decrease?

MR JONES: I don't know about statistically but -

MR WILLINGHAM: Well practically then?

MR JONES: Yes.

MR WILLINGHAM: Do you have anything that would assist me or the Commission to support your view?

MR JONES: Well I don't -

MR WILLINGHAM: I should you tell you, officer, that everything I have in my possession suggests that outbreaks of fighting - I'm not sure about associated problems, but I'll come to that in a moment, but the outbreak of fighting is actually quite a marked decrease. Certainly as it's reported so I wouldn't want you to be unaware of the fact that that's the information I have. That's why I asked you the question.

MR JONES: Well instead of taking abuse at us they have punch bags now which they really knock about to take their frustration out on that or they will play - run around the yard or, you know, or express their anger in some other form.

MR WILLINGHAM: Oh sure, but I mean I only - look I understand that and it's good that they do, but your statement to the Commission says that - or it certainly suggests that there may be an increase in fighting or a degree in fighting which is attributed to the degree of boredom. But you just -

MR JONES: You see.

MR WILLINGHAM: Please listen to me. You've just told



me now that maybe that's not the case, maybe they use punch bags and running around. Now I'm trying to come to grips with the answer that you gave in my first question in this block which is that you thought the incidents of fighting had increased. Now your superior officers and the statistics that we have on hand - and that's why I wouldn't normally go into these but you should know - suggest that the incident of fighting, outbreaks of fighting, has decreased markedly. Now I put that to you in that context. I want to know whether you wish to review what you've put there or if you stand by it. If you stand by it that's fine, we'll go onto to the next subject.

MR JONES: I stand by what I say, but a fight can consist of two punches and I shout out and they stop.

MR WILLINGHAM: Are you required to report those?

MR JONES: Officially yes.

MR WILLINGHAM: I don't want to put you on the spot here. I won't continue with this line for the time being. We'll take it up another way Commissioner. And if I could just take you to the very last paragraph of your exhibit which goes to the debating nights. I didn't quite understand - and it's not your fault I'm sure it was mine because I was talking with my colleague - I didn't quite understand how you identified to the Commission the changes in debating now as compared with nine years ago.

MR JONES: Yes. What I should have put in there is the changes of the position of the debatings from the messrooms to the education.

MR WILLINGHAM: Which used to be closed - the Education Centre - for fire reasons or something, didn't it?

MR JONES: Well yes.

MR WILLINGHAM: It was there for a long time and not able to be used, wasn't it?

MR JONES: That's quite right, yes, but for security reasons we used to hold them in the messrooms - the dining messrooms.

MR WILLINGHAM: And now they're in the Education Centre?

MR JONES: Now they're in the education, yes.

MR WILLINGHAM: Fine, I'm sorry. Thank you. And one last question. The visiting teams, sporting teams, football, cricket, basketball, are there any others?

MR JONES: Softball, volleyball.

MR WILLINGHAM: So all that's - under whose direction and supervision are those teams accountable to?

MR JONES: Well there's a sporting chief.

MR WILLINGHAM: Chief - prison officer?

MR JONES: Yes. And then he usually has an offsider, like someone like me.

MR WILLINGHAM: The responsibility is with the CPO?

MR JONES: Yes. To the best of my knowledge yes.

MR WILLINGHAM: Thanks very much officer. That's all I've got Commissioner.

COMM IMLACH : Thanks Mr Willingham. Mr Jones go back to those debating nights. When the debates were held in the messrooms did the families and so on come along?

MR JONES: On rare - to the best of my knowledge, no, but as I said I haven't got a good memory for dates like this. Very occasionally families - I really - I really wouldn't like to - I don't think families, students, yes, schools, yes, but I can't remember a family prior to '84 when they used to be in the messrooms. I can't remember families.

COMM IMLACH : Well are you saying that's the difference now,

apart from going from the messrooms to the Education Centre?

MR JONES: Now families, yes, are allowed in.

COMM IMLACH : Any others?

MR JONES: Just the normal visitors and the debating teams, students -

COMM IMLACH : So really the change is from one place to the other?

MR JONES: From the messrooms to the education, yes.

COMM IMLACH : That's the change you are saying that's taken place?

MR JONES: Yes, to us that's a major change, yes, security wise.

MR WILLINGHAM: If I can assist the Commission, Mrs Burgess was invited by me - our association, to attend one of the debates late last year. That's simply an example, I think, that Officer Jones's making reference to.

COMM IMLACH : Yes all right. Thanks Mr Jones. Mr Shirley?

MR SHIRLEY: Just two questions, thank you Mr Commissioner. With the tv monitoring was it always a prison officer who was in charge of the monitoring in the past?

MR JONES: Are you talking ---

MR SHIRLEY: Any monitors.

MR JONES: Apart from these ones underneath us, yes.

MR SHIRLEY: It was always a prison officer?

MR JONES: A prison officer. To the best of my knowledge a prison officer.

MR SHIRLEY: Okay, thank you. And with the visiting teams and the sporting chief being in charge does the sporting chief ever leave the yard compound whatever?

MR JONES: To have a drink of tea or coffee, yes.

MR SHIRLEY: And who would be left then?

MR JONES: The officer who was working with him.

MR SHURLEY: Right. By himself or does another officer come in?

MR JONES: To the best of my knowledge, by himself.

MR SHURLEY: By himself. Thank you. I have no further questions. Thank you Mr Commissioner.

COMM IMLACH : Thanks Mr Jones, that's it. You may go.

MR JONES: Thank you.

MR SHURLEY: Thank you Mr Commissioner. There are other witnesses but not today and I think all that remains is for the setting of another suitable hearing date.

COMM IMLACH : Right. Nothing else? We'll go off the record for a second -

Thank you gentlemen, this matter will be reconvened on Tuesday 23rd March at 9.30am here.