

TASMANIA
LEGISLATIVE COUNCIL

SESSION 2024

NOTICE OF MOTION

8 August 2024

I (**Ms Webb**) give Notice that tomorrow I shall move —

That the Legislative Council:

- (1) Notes the Office of the Custodial Inspector Tasmania’s *Inhumane Treatment in dry cells – review report 2024* (the Report), published on Tuesday 6 August this year;
- (2) Acknowledges the Report states dry cells present a serious risk to human rights in custodial environments, and that the Office of Custodial Inspector’s review has confirmed this risk has “*manifested into inhumane treatment in dry cells here in Tasmania,*” and further, “*changes to dry cell regimes are required to improve the treatment of people in custody or preferably, the use of dry cells needs to cease*”;
- (3) Further notes the Report’s three key recommendations:
 - a) Director’s Standing Order (DSO) 1.40 Managing Prisoners Suspected of Internally Concealing Items be reviewed to determine if it is necessary, considering the introduction of body scanners, and if the DSO and dry cells remain necessary, the DSO is revised to prioritise the care and wellbeing of people in custody before security considerations;
 - b) Training for TPS supervisors should include a dedicated unit on human rights standards for people deprived of their liberty;
 - c) TPS undertake a review of the environmental health conditions for staff involved in monitoring dry cells, including: testing for any pathogens on the external surfaces of the machine used to process faeces; assessing any risks to staff and people in custody from potential airborne pathogens; and ensuring appropriate maintenance is undertaken on the machine and relevant staff have access to training material on its appropriate use;
- (4) Further notes Appendix 1 of the Report contains the Department of Justice’s response to the Report’s Recommendations which state the Director’s Standing Order (DSO) 1.40 is currently under active review as part of the delivery of body scanning technology and the Astria digital solution, and that the Tasmanian Prison Service will consider whether dry cell management will remain a necessary approach as part of the DSO review, and subject to the outcome of that review, the exclusion of women from the DSO’s operation will also be considered.

- (5) Further notes advice provided by the Minister for Corrections and Rehabilitation to the House of Assembly on Wednesday the 7th of August of this year that installation of four of the five new body scanners is already underway.
- (6) Calls on the Tasmanian government to:
- a) Commit to accepting and delivering the Report's three recommendations in full;
 - b) Implement an immediate moratorium on the use of dry cells in any facility in which body scanning technology is available, pending the conclusion of the DSO 1.40 review currently underway;
 - c) Immediately prohibit the inclusion of women in the use of dry cells, and
 - d) Detail a timeframe for the delivery and implementation of any remaining recommendations still to be undertaken and completed.

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Signed