Justice Health and
Forensic Mental Health Network

NSW GOVERNMENT

Justice Health NSW Policy

Court and Police Cell Complexes (Adults) Healthcare Responsibilities

Issue Date: 17 February 2023

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Court and Police Cell Complexes (Adults) Healthcare Responsibilities

Policy Number 1.111

Policy Function Continuum of Care

Issue Date 17 February 2023

Next Review Date 17 February 2026

Risk Rating High

Summary Justice Health and Forensic Mental Health Network (Justice Health NSW) is responsible for the provision of health care in specified Court & Police Cells Complexes and Correctional Centres. This policy applies to people who enter custody on remand after having been transferred to Corrective Services NSW as well as those persons who enter custody after bail is refused by Police and are to appear before a magistrate.

Responsible Officer General Manager, Primary Care

Applies to

☐ Administration Centres
☒ Community Sites and programs
☒ Health Centres - Adult Correctional Centres or Police Cells
☐ Health Centres - Youth Justice Centres
☐ Long Bay Hospital
☐ Forensic Hospital

CM Reference POLJH/1111

Change summary

- Minor review

Authorised by Chair, Policy Steering Committee

Revision History

#	Issue Date	Number and Name	Change Summary
4	February 2023	1.111 Court and Police Cell Complexes (Adults) Healthcare Responsibilities	• Minor review
4	June 2021	1.111 Court and Police Cell Complexes (Adults) Healthcare Responsibilities	• Provisions included for patients bail refused by Police {Police Bail Refused (PBR)} • Updated definitions

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3	October 2017	1.111 Court and Police Cell Complexes (Adults) Healthcare Responsibilities	• Provisions included for patients bail refused by Police (Form 7 patients) • Updated definitions • Minor changes (as of 2 April 2015) re young persons in police custody
2	July 2014	1.111 Court and Police Cell Complexes (Adults) Healthcare Responsibilities	• Provisions included for patients bail refused by Police (Form 7 patients) • Updated definitions • Minor changes (as of 2 April 2015) re young persons in police custody
1	May 2011	1.111 Court and Police Cell Complexes (Adults) Healthcare Responsibilities	• Provisions included for patients bail refused by Police (Form 7 patients) • Updated definitions

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Printed copies of this document, or parts thereof, must not be relied on as a current reference document.

Always refer to the electronic copy for the latest version.

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Table of Contents

1. Preface 5
2. Policy Content 5
   2.1 Mandatory Requirements 5
   2.2 Implementation – Roles and Responsibility 5
3. Procedure Content 5
   3.1 Initial Assessment 5
   3.2 Prioritising Process 6
   3.3 Triaging of Patients 7
   3.4 Patients Temporarily Transferred to Court and Police Cell Complexes 7
   3.5 Patients refused bail by Police in NSW correctional centres 8
4. Definitions 8
5. Related Documents 9

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1. Preface

Justice Health and Forensic Mental Health Network (Justice Health NSW) is responsible for the provision of health care in specified Court and Police Cells Complexes (C&PCC) in NSW covering: Surry Hills, Wollongong, Newcastle, Port Macquarie, Lismore and Moree. This policy is also applicable in the Amber Laurel Correctional Centre.

This policy applies to people who enter custody on remand after having been transferred to Corrective Services NSW (CSNSW) as well as those persons who enter custody as Police Bail Refused (PBR) offenders prior to appearing before a magistrate.

CSNSW is responsible for the safe custody of persons in C&PCC and the Amber Laurel Correctional Centre which has been gazetted by CSNSW as a Police Cell where the custody of those persons has been transferred to CSNSW. This occurs once the inmate/patient has been refused bail and/or has been remanded into custody.

2. Policy Content

2.1 Mandatory Requirements

Justice Health NSW provides limited health services at C&PCC. Subject to access to patients; health care provision includes health status triage, first aid and treatment of minor injuries, continuation of medical treatment commenced prior to custody, and administration of prescribed, Nurse Initiated and Standing Order medications. A full reception screening assessment (RSA) may be undertaken if time permits. Patients requiring physical or mental health treatment beyond general first aid must be referred to the nearest hospital, after consultation with the appropriate Remote On-call Afterhours Medical Service (ROAMS) doctor or After Hours Nurse Manager (AHNM).

2.2 Implementation – Roles and Responsibility

Justice Health NSW is responsible for the provision of health care in specified C&PCC. Occasionally, in some rural C&PCC, a young person (who is under 18 years of age) may be held for a period of time in police custody. Justice Health NSW staff are not responsible for any health care for young people in police cells and all health care requirements must be referred to the local health facility/hospital.

3. Procedure Content

3.1 Initial Assessment

Justice Health NSW provides limited health services at police cell complexes by Registered Nurse (RN). Subject to access to patients, health care provision includes health status assessment in the form of a reception screening assessment or police cell triage, first aid and treatment of minor injuries, continuation of medical treatment commenced prior to custody, and administration of prescribed, Nurse Initiated and Standing Order medications. Patients

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requiring physical or mental health treatment beyond general first aid must be referred to the nearest hospital, after consultation with the appropriate ROAMS Medical Officer/Nurse Practitioner. The hours of operation of Justice Health NSW services at C&PCC, range from 4 to 16 hours per day dependent on the size and location of the complex.

When Justice Health NSW health staff are not on duty, CSNSW must contact the Nursing Unit Manager of the Nearest Correctional Centre or Cluster Nurse Manager (Monday – Friday), during office hours or the Justice health NSW AHNM (state-wide) on [redacted] (Option 1 – AHNM) for advice on health matters.

3.2 Prioritising Process

Justice Health NSW staff must prioritise patients based on information provided on the CSNSW Lodgement Sheets and the acuity of the patient. Patients who are considered a high priority include but are not limited to:

- Pregnant women;
- Patients at risk of self-harm or suicide;
- Patients who are at risk of withdrawing from alcohol or other drugs;
- Patients displaying severe symptoms or at risk of deterioration;
- Patients with physical injuries;
- Patients who are on antiretroviral, antiviral, antipsychotic and mood stabilising medication where adherence to medication is vital to successful treatment outcomes;
- Patients with infectious diseases;
- Patients who are on tuberculosis (TB) medications; and
- Patients with disabilities and/or whom are unable to perform activities of daily living.

Patients who are identified through this prioritising process must be flagged by Justice Health NSW staff for further assessment where access permits. Where access is not available, Justice Health NSW staff must perform visual observation of the patients in their cells, report the access issues with the Nursing Unit Manager and/or Cluster Nurse Manager or AHNM and log an incident in the Incident Information Management System (IMS+). This must be recorded in the patient's progress notes in JHeHS.

All pregnant women regardless of drug and alcohol history must be discussed with the ROAMS Drug and Alcohol Medical Officer or Nurse Practitioner within 4 hours of entering the custody. This is because of the potential risks that substance withdrawal may have on the unborn baby. Drug and Alcohol services provide 24 hour clinical consultation across the state via the on call ROAMS [redacted]. The C&PCC nurse must also email Justice Health NSW midwife(s) on [redacted] to advise of a pregnant patient arrival into custody (refer to Justice Health NSW Policy 1.430).

Where access to the patient is limited, patients identified at risk must be placed on a priority transfer list (please note: Justice Health NSW does not have a formal priority list form, each centre has their own system of managing this process) with CSNSW. This list prioritises the patients to be transferred to a correctional centre, and should be sent to the Cluster Nurse Manager and Regional Nurse Manager. If difficulties are experienced in transferring these

patients, such as no beds available in any correctional centres or the patient may be on an active Immediate Support Plan/management plan and there are no observation beds available, the CSNSW Officers and/or Police staff should contact the Nursing Unit Manager or Cluster Nurse Manager in Business hours and AHNM during out of business hours to assist in facilitating this transfer. *Justice Health NSW Health Problem Notification form (Adults)* (JUS005.001) must be completed by Justice Health NSW staff member and given to the Senior CSNSW Officer on duty outlining the reason that an urgent transfer is required and PAS Alerts applied as appropriate.

Where the nurse on duty identifies immediate health issues, they must contact the AHNM and relevant ROAMS doctor to discuss the care requirements and/or arrange for the transfer of the patient to hospital for further assessment and treatment as required.

A small number of patients may have an “alert” stating that the Service Director Population Health must be notified of the patient’s incarceration. If received into the C&PCC After hours, the AHNM should be informed and the AHNM will notify the Service Director Population Health.

All patient care interactions must be recorded in JHeHS in the eProgress notes and entered into Justice Health NSW Patient Administration System (PAS).

3.3 Triaging of Patients

All patients received into the C&PCC (with the exception of prepositioned patients) should where possible, undergo an RSA through JHeHS and all mandatory fields must be completed for this assessment. When there is limited access to patients or there are a large number of patients to be assessed, the nurse on duty must consult with their line manager or the AHNM (whichever is appropriate) for advice and direction. The Registered Nurse must endeavour to assess as many patients as access and time permits, ensuring the patients that appear to be the most unwell are assessed first.

For patients on transfer/transit from a Correctional Centre for a court appearance, refer to Justice Health NSW policy 1.395 *Transfer & Transport of Patients*. Please ensure that a COVID-19 screen should be undertaken prior to transfer from a C&PCC location as outline by the Justice Health Guidelines.

Patients received into the custodial environment from overseas may be at greater risk of presenting with transmissible infections. At reception into the C&PCC, a full history regarding infectious diseases including tuberculosis and COVID-19 must be taken. During business hours, Cluster Nurse Manager and After Hours, the AHNM must be contacted on [redacted] Option 1 if a patient is received from immigration detention centres, from overseas prisons or newly arrived into Australia regardless of history.

3.4 Patients Temporarily Transferred to Court and Police Cell Complexes

Usually patients are transferred to the nearest correctional centre and taken to court on a daily basis. However if there is no correctional centre at a reasonable distance from the court, they are transferred to the nearest C&PCC for one day and night or longer. Justice Health NSW staff are responsible for ensuring that the individual’s health needs are followed up while in the C&PCC staffed by Justice Health NSW nursing staff. This is the responsibility of both the transferring health staff and the receiving health staff (if available).

Nursing staff must be aware that not all C&PCC have Justice Health NSW staff on duty seven days per week and continuity of care arrangements for patients will be different. It is the responsibility of the transferring correctional centre to arrange appropriate care requirements, which may include contact with Justice Health NSW staff at receiving centre / C&PCC and/or preparing/transferring medications for patients being housed at the C&PCC.

When a patient is on an Opioid Agonist Treatment (OAT) program and is being held in the police / court cells that have Justice Health NSW services on site, it is the responsibility of the Justice Health NSW C&PCC nursing staff to ensure that OAT medication administration occurs, where possible. Medication administration is only to be undertaken once a copy of the community prescription, medication administration details and patients identification document has been uploaded onto JHeHS. If the patient is on OAT and there is no Justice Health NSW nursing staff at the C&PCC, the CSNSW should contact Nursing Unit Manager/Cluster Nurse Manager (Business Hours, Monday to Friday) or AHNM (out of Business hours or weekends), the patient should be moved to a site where there are nurses as soon as practicable, then follow the procedure at the health centre.

3.5 Patients refused bail by Police in NSW correctional centres

Newly arrested people who have been bail refused by Police and have not yet appeared before a magistrate are referred to as PBR.

PBRs will usually enter custody at a C&PCC but in some instances may need to enter directly into NSW Correctional Centres.

Justice Health NSW has a responsibility to address the immediate health needs of those patientswho enter custody as a PBR. These needs may range from first aid to emergency intervention to preserve life. RSAs must not be conducted on PBR's (except at Amber Laurel Correctional Centre and Kariong Intake and Transit Centre as PBRs are with CSNSW).

Any clinical interventions must be recorded in JHeHS eProgress notes.

4. Definitions

In custody (as per Crimes (Administration of Sentences) Act 1999 (No 93))

- when a person is before a court in connection with alleged commission of an offence; or
- in the process of proceedings to determine whether the person has committed an offence or while such proceedings are pending; or
- following a grant of bail but before the person has fulfilled the necessary requirements entitling the person to be released; or
- during any period for which the person is on remand; or
- while awaiting sentencing for an offence or during sentencing proceedings; or
- during any period after the person is sentenced for an offence; or
- during any period after a periodic detention order is made in relation to the person and before a periodic detention notice is served on the person; or

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- in accordance with a warrant of commitment or other warrant, or an order of the court or other competent authority, or held in C&PCC/CSNSW custody as PBR offender to appear before a magistrate.

Must

Indicates a mandatory action to be complied with.

Should

Indicates a recommended action to be complied with unless there are sound reasons for taking a different course of action.

5. Related Documents

Legislations	*Crimes (Administration of Sentences) Act 1999 (No 93)* *Bail Regulation 2014*
Justice Health NSW Policies, Guidelines and Procedures	1.225 *Health Assessments in Male and Female Adult Correctional Centres and Police Cells* 1.395 *Transfer and Transport of Patients* 1.422 *Tuberculosis – Surveillance and Management of Confirmed and Suspected Cases* 1.430 *Management and Care of Pregnant and Postnatal Women* 9.041 *Infection Prevention and Control*
Justice Health NSW Forms	1.231 *Health Problem Notification form (Adults) (JUS005.001)*
NSW Health Policy Directives and Guidelines	PD2025_025 *Infection Prevention and Control in Healthcare Settings* PD2022_007 *Principles for the Management of Tuberculosis in New South Wales* PD2026_003 *Collecting and recording the Aboriginal and Torres Strait Islander status of clients*
Other documents and resources	

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