

Corrective Services New South Wales

STATEMENT

In the matter of: Alleged 'Use of Force' on inmate [REDACTED] MIN [REDACTED]
Place: Lithgow Correctional Centre.
Date: 4 March 2015.

Name: John O'Shea **Tel. No:** [REDACTED]
Rank/Position: General Manager.
Address: [REDACTED]

STATES:-

1. This statement made by me accurately sets out the evidence that I would be prepared, if necessary, to give in court as a witness. The statement is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I will be liable to prosecution if I have wilfully stated in it anything that I know to be false, or do not believe to be true.
2. I am [REDACTED] of age.
3. I am currently the General Manager at the Lithgow Correctional Centre having been appointed to this position in December 2012.
4. Today I have been visited by Investigator John Glasheen from CSNSW Investigations. Investigator Glasheen sent me a recorded telephone conversation, which was an attachment to an email sent by him to me. This telephone call is from an inmate to his father on the 20 February 2014.
5. This telephone conversation has identified the caller as being an inmate [REDACTED] MIN [REDACTED] and the receiver of the call as being his father. The telephone call refers to an alleged incident with officers at inmate [REDACTED] cell on the 19 February 2014.
6. On the 19 February 2014 I was rostered for duty as General Manager (GM) which is reflected within the Centre's daily roster.
7. On this date the Centre had been in lockdown due to searches being conducted by staff of the inmates' cells. This search was being conducted by Immediate Action Team (IAT) staff and officers from the Special Operations Group (SOG). I do remember that day I did attend the Officer's Station at 5.1 Unit on the 19 February 2014 where I could hear inmates being verbally abusive towards staff on duty.

Witness:

[REDACTED]

Signature:

[REDACTED]

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8. I am unable to recall if I had a conversation in person with inmate [REDACTED] MIN [REDACTED] in 5.1 Unit by attending the cell flap or whether it was conducted over the centre's knock up system, however I did instruct the inmates to settle down as the staff were busy and would attend their needs as soon as possible (asap).
9. In the telephone call I listened to, the caller inmate [REDACTED] does mention that the Governor came up to the door and spoke with inmate [REDACTED] and the next thing that happened was he got flogged by the squad. I categorically deny being verbally abusive towards inmate [REDACTED] as he has claimed in that telephone recording and instructing any officer to physical abuse or assault inmate [REDACTED]
10. I am aware that searches of cells were taking place that day by Immediate Action Team (IAT) officers and Special Operation Group (SOG) officers. However, this is common practice at Lithgow CC and does take place on a regular basis. As the General Manager we do receive information and intelligence from sources that contraband including illicit drugs is being hidden in inmate cells. We do take this seriously and endeavour to take the appropriate action.
11. I have been shown a Use of Force Forms reviewed by A/MOS Stephen Taylor on the 19 February 2014 and I see that my signature appears on that form as the General Manager. This form is dated by me on the 20 February 2014. As per CSNSW policy and procedures I must oversee the Use of Force and in this case I marked the form 'No further action' as A/MOS Taylor had reviewed the Use of Force looking at the staff reports and other information he had gathered.
12. At the time of this incident inmate [REDACTED] was in custody at the Lithgow CC and according to documents was transferred to the Metropolitan Remand and Reception Gaol (MRRC) on the 22 February 2014 and then to the Parklea CC on the 17 March 2014. Inmate [REDACTED] was released on bail in June 2014.

Witness

[REDACTED]

Signature:

[REDACTED]