



## DEPARTMENT OF JUSTICE AND ATTORNEY-GENERAL MEMORANDUM

**TO:** [REDACTED], Acting Commissioner, Queensland Corrective Services  
**FROM:** Samay Zhouand, Chief Inspector, Queensland Corrective Services  
**SUBJECT:** Incident [REDACTED] – Assault prisoner on staff – Brisbane Correctional Centre [REDACTED] August 2017  
**DATE:** 7 September 2017

### PURPOSE

- That you note the information contained in this memorandum
- To seek your approval of the suggestions outlined at the conclusion of this memorandum.

### BACKGROUND

- prisoner [REDACTED] assaulted or attempted to assault a Correctional Services Officer at Brisbane Correctional Centre on [REDACTED] August 2017;
- the officer and others who came to his assistance ground stabilised prisoner [REDACTED]
- during the stabilisation prisoner [REDACTED] complained of pain caused by excessive force by officers; and
- at least four body worn cameras were deployed during the incident.

### ISSUES

My Office has reviewed the CCTV footage of this incident which involved officers ground stabilising a prisoner following an alleged assault on an officer. Four cameras were available for viewing.

The primary camera was that of the officer allegedly assaulted by the prisoner. This was the only one apparently that was recording in the cell at the time of the incident. Unfortunately, it suffered from three problems.

- Camera audio

Firstly there was no sound for the first 30 seconds or so which is when the officer and the prisoner apparently had a verbal exchange. It is not possible to assess therefore whether the officer said anything to provoke the prisoner or whether the prisoner said anything at the time as to why he was attempting to assault the officer.

Briefing Officer [REDACTED]  
 Inspector  
 Office of the Chief Inspector  
 Telephone [REDACTED]

Approved by Samay Zhouand  
 Chief Inspector  
 Queensland Corrective Services  
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- Camera security

Secondly, soon after the confrontation commenced the camera apparently fell off the officer and remained focussed on a wall until other officers arrived had arrived to assist and the prisoner had been subdued.

- Camera angle – primary camera

Thirdly, even when the camera was recording during the initial stage of the assault, because of its angle it didn't really capture much of what occurred between the officer and the prisoner. The officer later claimed that the prisoner had punched him a number of times, but this couldn't be substantiated (or disproved) by the brief footage available. As noted, the officer's camera was the only one that filmed any part of the initial assault.

- Camera angle – all cameras

All cameras recorded the aftermath of the assault, which consisted basically of up to 10 officers attending the scene, three or four of them restraining the prisoner face down in a firm but not excessively forceful manner, the prisoner complaining of leg pain while being restrained, that restraint being eased, and a nurse attending to administer pain relief. The prisoner was eventually left in his cell (but later transferred to the DU and then placed on an MSO at Woodford).

The cameras appeared mainly to film various officers standing around or leaning over the prisoner, and none actually focussed to any sustained degree on the contact between the prisoner and officers while the prisoner was being restrained on the ground. In fact it appeared at times that the cameras were avoiding focusing on the prisoner. Only brief glimpses of him were shown, even when he was shouting that he couldn't feel his leg and claiming excessive force while being restrained. As a record of whether the officers used appropriate force at all times during the restraint the footage is therefore largely unhelpful.

## FINDINGS

In summary, the footage appears to show the following -

- an officer gesticulating to the prisoner in his cell;
- the prisoner responding by approaching the officer and assaulting or attempting to assault him at the doorway to the cell;
- the officer responding in a manner which couldn't be observed as his camera fell off and didn't capture the incident;
- 8-10 officers attending the scene and cuffing the prisoner's legs while restraining him on the ground in a reasonable manner;
- the prisoner shouting that he couldn't feel a leg and complaining of pain
- officers relaxing their grip on the prisoner;
- a nurse attending to check on the prisoner and administering pain relief;
- the prisoner being uncuffed, placed on his bed in no apparent significant discomfort; and

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Inspector	[REDACTED]	Date	7 September 2017
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QCS Ref: [REDACTED]

- the officers exiting the cell.

The footage does not establish that officers did anything improper in their interactions with the prisoner. However, a proper review of the incident is hampered by the failure of the cameras to -

- capture the initial verbal exchange between the officer and the prisoner which could have helped explained the incident
- capture the physical interaction between the officer and the prisoner until the arrival of other officers
- focus on the prisoner and his interaction with officers whilst being restrained on the ground.

### RECOMMENDATION

Accordingly, I would suggest considering the communication of the following practice improvement considerations to the relevant officers involved in the incident and perhaps even all centres: -

- try to ensure as far as possible that cameras are not easily dislodged during a scuffle (in saying this I appreciate that dislodgment of a camera during a scuffle or assault may be inevitable and the only issue is whether the problem and risk to staff or others can be minimised)
- ensure that cameras are worn and directed in such a way that they capture as far as possible (without compromising safety) the interaction between the officer/s and the prisoner in its entirety, as this is the primary purpose of the cameras.

*[Handwritten signature]*

**Samay Zhouand**  
**Chief Inspector**  
**Office of the Chief Inspector**  
**Date: 8/9/17**

<input checked="" type="checkbox"/> Noted	<input type="checkbox"/> Approved	<input type="checkbox"/> Not Approved
Signed: _____		
A/ Commissioner		
Date: _____		

*Samay.*  
 These matters raised are all relevant to the current situation

① [REDACTED]

② BWV need for stabilising camera

③ Current industrial situation →

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→ continued

where officers are not required to wear cameras unless they choose until vests provided

At this point I will not take this further until above is resolved .

  
13-Q-17