

Department of Corrections reasonably held inmate in segregation

Legislation	Ombudsmen Act 1975
Ombudsman	Anand Satyanand
Case number(s)	A7571
Date	1999

Unreasonable placement of inmate on precautionary segregation—written material found in his cell which reflected on the safety of prison staff—placement not deemed unreasonable

A prisoner complained of the circumstances in which he had been placed in precautionary segregation. Prison staff discovered written material in an inmate's cell which they considered constituted a risk to safety within the prison. As a result, the inmate was placed on precautionary segregation.

The inmate maintained that he had written entries into a diary as a way of expressing his feelings and as an alternative to acting out any violent inclinations. However, on examining copies of the written material the Ombudsman noted that the entries were quite specific listing officers' names and describing graphic references to acts of violence. Taking this into account, as well as an earlier incident of violence committed by the inmate in the prison setting, the Ombudsman considered that it was not unreasonable for the prison concerned to take a cautious approach by placing him on segregation to monitor his behaviour.

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