

## Custodial Operations Policy and Procedures

# 11.2 Religious and cultural services

### Policy summary

Corrective Services NSW (CSNSW) is committed to providing inmates with opportunities to practise their religion, faith and to celebrate significant cultural events while in custody.

Inmate access to these opportunities is contingent on maintaining the good order and security of correctional centres.

Inmates may apply for access to kosher, halal, vegetarian or “Religious Friendly” meals; to change their religious preferences; or for access to religious material.

### Management of Public Correctional Centres Service Specifications

Service specification	Decency and respect
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## Scope

This section applies to all correctional centres and other facilities administered by or on behalf of CSNSW, and all CSNSW employees.

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# 1 Cultural and religious services

## 1.1 Policy

CSNSW recognises the cultural and religious diversity of the inmate population. CSNSW is also committed to ensuring inmates are able to practise their religion and to celebrate significant religious and cultural events while in custody, having due regard to the effective functioning and security of correctional centres.

CSNSW provides a range of services to support inmates from culturally and linguistically diverse (CALD) backgrounds including access to:

- pastoral care by chaplains of major faith groups
- religious books and other religious items
- cultural and religious food (e.g., kosher and halal)
- opportunities to observe cultural and religious significant events
- pre and post-release reintegration services in the context of reducing reoffending.

## 2 Dietary requirements

### 2.1 Policy

The CSNSW Corrections Food Services Working Party (CFSWP) is responsible for monitoring and evaluating the quality of inmates' meals. This includes halal and kosher meals. There is no special buy-up arrangement for cultural and religious events. The inmate grocery buy-up list includes a number of items that reflect the cultural diversity of the inmate population.

### 2.2 Halal and kosher meals

An inmate may request to have halal or kosher meals because of their religious affiliation. To be approved for halal or kosher meals, the inmate's religion must be recorded on the Offender Integrated Management System (OIMS) as either Muslim or Jewish.

Inmates who are approved for halal or kosher meals must pay the difference in price between those meals and the standard meals normally provided. This amount is determined by Corrective Services Industry (CSI) and the unit cost administered to the correctional centre if changes occur.

If an inmate's commitment to maintaining religious observances is inconsistent (i.e. voluntarily consuming prohibited food when prior dietary arrangements have been made in accordance with their religious observance), the governor has the discretion to consult the Chaplain or Chaplaincy Coordinator and may review the continued provision of halal or kosher meals.

## 2.3 Requests for halal or kosher meals

	Procedure	Responsibility
1.	Forward the inmate request for kosher/halal meals to the FM Accommodation.	Custodial Officers
2.	Assess the request, including <ul style="list-style-type: none"> <li>• check if the patient has a clinical certificate for a therapeutic diet from a Justice Health &amp; Forensic Mental Health Network (JH&amp;FMHN) clinician.</li> <li>• consult with JH&amp;FMHN if the inmate wishes to change from a therapeutic diet</li> <li>• Check that the inmate’s religion is recorded on OIMS as Muslim or Jewish</li> <li>• consult with a Chaplain if there is any doubt about the religious affiliation of the inmate</li> <li>• confirm the inmate is aware of the cost of the meals and that they have sufficient funds in their inmate account to pay</li> <li>• provide advice to the governor.</li> </ul>	Functional Manager (FM) Accommodation
3.	Approve / not approve request.	Governor
4.	Tell the inmate the outcome of the request.	FM
5.	Forward the approved request to the Administration Manager. Record the decision in an OIMS <i>Case Note</i> .	FM
6.	Forward the approved request to CSI Food Services for action.	Administration Manager

## 2.4 Vegetarian and “religious friendly” meals

Inmates who do not qualify for kosher and halal meals or are unable to meet the additional costs associated with these meals can request vegetarian or “religious friendly” meals, which are free of ingredients considered unacceptable in some religions.

There is no requirement for an inmate to have their religion recorded on OIMS in order to receive vegetarian or “religious friendly” meals, and no approval process is necessary.

## 2.5 Requests for vegetarian and “religious friendly” meals

	Procedure	Responsibility
1.	Forward the inmate request for vegetarian or “religious friendly” meals to the FM Accommodation	Custodial Officers

	Procedure	Responsibility
2.	Forward the approved request to the Administration Manager. Record the decision in an OIMS <i>Case Note</i>	FM
3.	Forward the approved request to CSI Food Services for action	Administration Manager

## 3 Religious services, materials and items

### 3.1 Policy

Chaplains are permitted, at the discretion of the Governor, to bring religious items, including up to 300mls of sacramental wine, candles and matches into a centre for use during a religious ceremony (**refer to COPP Section 10.6 Visits by chaplains**). Inmates are prohibited from handling candles, matches or wine for any reason.

Inmates may request a Bible, Torah or Quran and other major books of faith (in either hardcopy or electronic form) as approved by the Chaplaincy Coordinator. These books will be provided free of charge to inmates. Hardback books of faith are approved for use by Chaplains and inmates within correctional centres. However, if an inmate abuses a hardback book, uses it to cause risk or harm to others, or uses it to conceal contraband, the item will be removed from their possession.

The following religious items are available to inmates via monthly buy-up: Christian crosses, crucifixes and rosary beads, Islamic prayer mats, prayer caps, prayer beads and hijabs.

Religious items available for purchase from buy-ups can only be purchased by inmates who are identified on OIMS as being of that respective faith or religion. Governors must implement local operating procedures to ensure that an inmate who orders a religious item on the buy-up is registered on OIMS as identifying with that religion before the buy-up item is approved for processing.

The above religious items and other approved religious items can also be supplied free of charge by chaplains at their discretion. In such cases, chaplains must complete and submit the *Inmate application religious property form*, along with the item to be issued, to the centre's Reception/Property room officer prior to issue of the item.

The Chaplaincy Coordinator, the Manager Library Services, the Coordinator of CALD and a member of the Corrections Intelligence Group (CIG) are responsible for assessing and approving all religious books and devotional material (in either hardcopy or electronic form) that will be made available to inmates. Recommendations to add or subtract to the approved lists must be made to the Chaplaincy Coordinator.

Chaplains will not support requests from an inmate or their family to purchase religious books. However, this does not rule out donations of approved religious books, which will be placed in correctional centre and/or chaplaincy libraries.

All donations of religious books and devotional material by family or any external body/agency/organisation must be approved for use and catalogued at the CSNSW

Library at Brush Farm Academy before being distributed to correctional centre and/or chaplaincy libraries (**refer to COPP section 8.4 Inmate libraries**).

These books must not:

- encourage coercive or disrespectful promotion of a particular religion, sect or ideology
- denigrate other religions or belief systems
- promote violence against any system or people
- be in contravention the C(AS) Reg clause 15 (3) (b) by inciting persons to engage in activities that constitute a serious threat to the peace, order or good government of the State or any other place.

Texts which promote harmonious and pro-social spirituality are to be preferred.

### 3.2 Procedures for approving religious books and items

	Procedure	Responsibility
1.	<p>Assess compliance of proposed religious books and/or items.</p> <p>The assessment team consists of:</p> <ul style="list-style-type: none"> <li>• Chaplaincy Coordinator</li> <li>• CIG staff member</li> <li>• Coordinator of CALD</li> <li>• Manager Library Services.</li> </ul>	Assessment team
2.	<p>If assessed as suitable, add the book or item to the appropriate, religion-specific list of approved books and items managed by the Manager Library Services on Koha.</p> <p>Seek advice where necessary from Chaplaincy Coordinator, CIG staff and/or Coordinator of CALD.</p>	Manager Library Services
3.	<p>Send approved religious books and items either directly to:</p> <ul style="list-style-type: none"> <li>• the Brush Farm Library by CSI delivery, or</li> <li>• Chaplains from approved religious suppliers, such as The Bible Society or by Chaplains themselves.</li> </ul>	MLS, Chaplaincy Coordinator, Chaplains
4.	<p>Should an inmate request a religious book/devotional material/item, direct them to:</p> <ul style="list-style-type: none"> <li>• a chaplain and/or</li> <li>• a correctional centre library</li> <li>• appropriate buy-up options (for devotional items)</li> <li>• an inmate computer for a list of approved books.</li> </ul>	Custodial Officers, other staff, LLOs, Chaplains
5.	<p>If the inmate has a non-approved religious book in their possession, they can ask the Chaplain to arrange for the assessment team to review it for compliance.</p> <p>If the book is:</p>	Chaplaincy Coordinator, MLS

	Procedure	Responsibility
	<ul style="list-style-type: none"> <li>compliant, provide details of the book to the CSNSW Library to add to the list of approved on Koha and return it to the inmate</li> <li>not compliant, arrange for it to be placed in the inmate's stored property.</li> </ul>	

### 3.3 Head wear associated with religious practice

#### Male inmates

Approved items of headwear associated with religious practice are available for purchase on request, and can be worn:

- during religious ceremonies/activities which are facilitated directly by a CSNSW chaplain or their approved representative, and
- in the inmate's cell.

The following approved religious items can be worn at other times in the absence of overriding security concerns:

- Jewish skullcap (Yarmulka)
- Sikh patka
- Muslim skullcap (Taqiyah)

A male inmate who identifies as Jewish, Sikh or Muslim, and who, on entry into custody, is wearing a skullcap or patka, is permitted to continue wearing this headwear if, after standard searching procedures (including temporary removal of headwear) have raised no security concerns. The skullcap or patka may be required to be removed for any subsequent search or security procedures.

If at reception an inmate who identifies as Sikh is wearing the full Sikh turban, the inmate should be given the opportunity to replace the turban with a chaplaincy-issued patka at the earliest opportunity. The full turban may be stored in reception/property area and accessed by the inmate for use on formal occasions or court appearances, with the approval of the FM.

#### Female inmates

A female inmate who identifies as Muslim is permitted to wear a hijab. A female inmate who identifies as Sikh is permitted to wear a patka. They are also permitted to use the hijab or patka they wore on reception to custody, providing it is coloured black, white, green or burgundy. If the hijab is not one of these colours the inmate must be provided with a replacement hijab or patka supplied by Chaplaincy Services. If at reception an inmate who identifies as Sikh is wearing the full Sikh turban, this can be retained for use on formal occasions. It can only be removed by the inmate if a patka is available to replace it.

Until a female Muslim or Sikh inmate has been provided with a standard hijab or patka, under no circumstances will an existing hijab, patka or turban, regardless of colour, be removed from a female inmate.



A female inmate who identifies as Muslim or Sikh, who is not wearing a hijab, patka or turban on reception into custody, and who requests a hijab or patka, must be supplied with one, either by the centre or by a chaplain.

Unless supplied without cost by chaplaincy, the cost of a hijab must be deducted from the inmate's trust account. The inmate must not be refused a hijab or patka if they do not have the funds to immediately meet the cost. This deduction can be deferred until the inmate has sufficient funds in their account.

If an inmate cannot afford the cost of a hijab or patka, or there is a delay in supplying one, an approved hijab or patka can be given to the inmate free of charge by the chaplain.

Religious headwear may be worn to cover the head and neck, but the face must be clearly visible. Eligible female inmates may wear the hijab or patka at any time or place within the correctional centre, but can be asked to remove it during a pat or strip search.

The wearing of a burqa or any similar garment which covers any part of the face is not permitted.

## **4 Approved days of cultural and religious significance, and ceremonies**

### **4.1 Policy**

Governors may hold a cultural and/or religious event that is listed on the [CSNSW Calendar of Cultural and Religious Events](#).

Community organisations and foreign consulates can apply to CSNSW for approval to provide food parcels to inmates to meet their specific cultural and religious needs. The content of the food parcels must meet CSNSW's security and Work Health and Safety (WHS) provisions.

Governors may hold a cultural and/or religious event that is not listed on the [CSNSW Calendar of Cultural and Religious Events](#). However, Governors must seek approval from their Director, Custodial Operations before planning the event.

### **4.2 Christmas**

Inmates of the Christian faith receive support from the Salvation Army and Prison Fellowship Australia.

Prior to Christmas, inmates receive a gift from the Salvation Army to help them celebrate this significant religious event.

Prison Fellowship Australia provides support services to inmates in custody and their families in the community. These services include bible study in correctional centres and Christmas gift for their children from the Angel Tree Program.

Inmates must register their interest with the correctional centre chaplain for their children to receive the Christmas gift.

### **4.3 Chinese and Vietnamese festivals**

Lunar New Year and the Moon Mid-Autumn festivals are important cultural events for Chinese and Vietnamese people.

CSNSW has an arrangement in place with the Chinese Consulate to provide desserts to inmates to celebrate the Chinese New Year and the Moon Mid-Autumn Harvest. These desserts will only be available to those inmates who are identified on OIMS as born in China, Hong Kong or Taiwan.

### **4.4 Passover, Rosh Hashanah and Yom Kippur, and Chanukah**

Jewishcare is approved by CSNSW to provide kosher food parcels for Passover, Rosh Hashanah and Yom Kippur and Chanukah, only to Jewish inmates who are part of the Prison Outreach Program. CSNSW's Co-ordinator of CALD is the point of contact for all arrangements with Jewishcare.

Jewishcare's Prison Outreach Co-ordinator must liaise with CSNSW Court Escort and Security Unit (CESU) about the time and date for delivering the food parcels to CESU location at Silverwater. The CESU will deliver the food parcels to the Correctional Centres.

Jewishcare, through the Prison Outreach Program, also provides a range of services to Jewish inmates in custody and transition support services for reintegration into the community. CSNSW allows Jewish inmates to receive copies of the Jewish News from Jewishcare.

### **4.5 Ramadan**

Ramadan is a significant religious event for Muslims. During Ramadan, observant Muslim inmates are permitted to fast from sunrise to sunset for a period of 5 weeks. Correctional Centres must liaise with CSI Food Services to arrange appropriate meals for observant Muslims to consume after breaking their fast. Muslim inmates mark the end of Ramadan by celebration (Eid).

CSI will provide traditional ma'amouls, as a gesture of good will, to Muslim inmates to mark the end of fasting.

### **4.6 Religious observance**

Each correctional centre will provide a dedicated area where all inmates are permitted to practise their faith. Enquiries regarding prayer or other matters of religious observance should be referred to the correctional centre Chaplain or Imam.

All inmates are entitled to practice their faith whilst in custody.

Inmates may practice their faith/pray individually in their cell, the yard, multi-faith centre or dedicated area nominated by the Governor.

Group prayers must be held in the multi-faith centre or an area nominated by the Governor, and in the presence of a Chaplain or custodial officer.

## 4.7 Islamic prayers

If an Islamic Chaplain or Imam is not available to lead the prayers, an approved Muslim inmate may lead prayers under the supervision of a non-Islamic Chaplain or custodial staff.

An inmate will only be approved to lead prayers if:

- they are deemed suitable by one or more members of the Islamic chaplaincy team
- they are deemed suitable by the Governor and/or senior management of the relevant centre with advice from CIG
- they have proved themselves to be reliable and suitably respected by staff and inmates, and
- on condition that they complete training authorised by the National Imams Council of Australia (or other approved Islamic body) to ensure they are sufficiently qualified to fulfil this role.

Group prayers/sermons can only be led by an approved Muslim inmate in the absence of a Muslim Chaplain or Imam.

All sermons must be delivered by a Muslim Chaplain or Imam or by an approved Muslim inmate, and be in English or a language approved by the Governor (in the case of EHRR or NSI inmates, the Commissioner, or Assistant Commissioner S&I must approve a language other than English).

Exceptions to this policy may be applied temporarily and/or for security or disciplinary reasons. Non-temporary exceptions can also be applied, for example, at sites such as the HRMCC where, for security reasons, group activities are not permitted.

## 4.8 Food

Cultural and religious events may be catered at the discretion of the governor.

Governors have the authority to celebrate a cultural or religious event (for example a sporting event or a BBQ etc.) (**refer to COPP section 8.15 Inmate barbeques**). An approved Jewish body may offer kosher for Passover meals to Jewish inmates during Passover and kosher food at other times. These meals are provided by an external approved kitchen to Corrective Services. Arrangements for these meals are made in consultation between the approved Jewish body, CSI, Chaplaincy Services, CSNSW Co-ordinator CALD and the approved kitchen.

The CSNSW Co-ordinator of CALD is the contact person for these arrangements and can be contacted at: [REDACTED]

## 5 Changes to an inmate's religious preference

### 5.1 Policy

An inmate may request to:

- check or update their religious status or
- convert to another religion.

All inmate requests to change their identified religion on their CSNSW records must be assessed before a determination is made.

A determination does not need to be made if an inmate has not stated a religious preference on their reception to custody. In these circumstances an inmate may provide details of their preference to allow the OIMS *Personal Information* screen to be updated. However, if it is suspected that coercion is involved, the matter should be reported and investigated prior to any change in OIMS.

### 5.2 Procedures for requests to change religion

	Procedure	Responsibility
1.	Update the OIMS <i>Personal Information</i> screen if the request is to provide information about the inmate's existing religious preference	Custodial officers
2.	Forward the request to the Chaplain for advice if the inmate wishes to change their religious preference	Custodial officers
3.	Verify inmate's religious affiliation and reasons for the requested change of religious preference by: <ul style="list-style-type: none"> <li>• checking OIMS</li> <li>• interviewing inmate</li> </ul>	Chaplain
4.	Submit advice and recommendations to governor for consideration	Chaplain
5.	Make a decision on the application after taking into consideration: <ul style="list-style-type: none"> <li>• the advice &amp; recommendations of the Chaplain and</li> <li>• any security or safety concerns</li> </ul>	Governor
6.	Tell the inmate the outcome of their request	FM
7.	If the change of religious preference has been approved arrange for the OIMS <i>Personal Information</i> screen to be updated with the new information	FM
8.	Document the Governor's decision in an OIMS <i>Case Note</i> .	FM

## 6 Quick links

- [Related COPP](#)
- [Forms and annexures](#)
- [Related documents](#)

## 7 Definitions

CALD	Cultural and linguistic diversity
CESU	CSNSW Court Escort and Security Unit
CFSWP	Corrections Food Services Working Party
Chaplain	A religious representative who is accredited and supervised by the CSNSW Chaplaincy Coordinator
CIG	Corrections Intelligence Group
COPP	Custodial Operations Policy and Procedures
CSI	Corrective Services Industries
CSNSW	Corrective Services NSW
DAMEC	Drug and Alcohol Multicultural Centre
FM	Functional Manager
Ma'amoul	A shortbread cookie stuffed with either date or nuts consumed by people from Middle Eastern backgrounds when celebrating a religious event.
OIMS	Offender Integrated Management System
Religious Friendly Meals	Religious friendly meals are free of pork, alcohol and shellfish. These meals are provided by CSI on request and are designed to meet the religious needs of inmates.
WHS	Work Health and Safety

## 8 Document information

<b>Business centre:</b>	Statewide Operations	
<b>Approver:</b>	Dr Anne Marie Martin (Deputy Commissioner Security and Custody)	
<b>Date of effect:</b>	16 December 2017	
<b>EDRMS container:</b>	18/7299	
<b>Version</b>	<b>Date</b>	<b>Reason for Amendment</b>
1.0	16/12/17	Initial publication ( <i>replaces section 7.9 of the superseded Operations Procedures Manual</i> )
1.1	12/03/20	General formatting update and improvements
1.2	15/12/20	Clarification throughout 2 <i>Dietary requirements</i> regarding inmate access to halal, kosher and vegetarian and “religious friendly” meals Update to part 3 <i>Religious services, materials and items</i> outlining approval process for texts: Addition of 3.2 <i>Procedures for approving religious books and items</i> Amendment to 4.7 <i>Religious observance</i> , outlining conditions for inmates leading Islamic prayers.
1.3	25/01/21	Addition at 3.1 <i>Religious services, materials and items - Policy</i> to include chaplaincy libraries as holders of approved religious texts
1.4	15/08/22	Update to part 3.3 <i>Headwear associated with religious practice</i> to include Sikh, Jewish and Muslim headwear for male and female inmates
1.5	29/04/24	Introduction in subsection 3.1 <i>Policy of Inmate application religious property form</i> for use by chaplains when issuing property normally purchased on buy-up