



New South Wales

Crimes (Administration of Sentences) Amendment (Use of Force) Regulation 2016

under the

Crimes (Administration of Sentences) Act 1999

His Excellency the Lieutenant-Governor, with the advice of the Executive Council, has made the following Regulation under the *Crimes (Administration of Sentences) Act 1999*.

DAVID ELLIOTT, MP
Minister for Corrective Services

Explanatory note

The objects of this Regulation are:

- (a) to authorise a correctional officer to use force to allow a medical practitioner to carry out necessary medical treatment on an inmate, and
- (b) to provide that a use of force report is not required when force is only threatened or when an inmate is restrained in order to be moved from one location to another.

This Regulation is made under the *Crimes (Administration of Sentences) Act 1999*, including sections 79 and 271 (the general regulation-making power).

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1 Name of Regulation

This Regulation is the *Crimes (Administration of Sentences) Amendment (Use of Force) Regulation 2016*.

2 Commencement

This Regulation commences on the day on which it is published on the NSW legislation website.

Schedule 1 Amendment of Crimes (Administration of Sentences) Regulation 2014

[1] Clause 131 Use of force in dealing with inmates

Insert after clause 131 (4) (i):

- (i1) to allow a medical practitioner to carry out medical treatment on an inmate in accordance with section 73 of the Act,

[2] Clause 133 Report on use of force

Insert after clause 133 (3):

- (4) This clause does not apply in respect of:
 - (a) a threat of the use of force, or
 - (b) the use of an instrument of restraint in circumstances where:
 - (i) the inmate is restrained for the purposes of being moved from one location to another, and
 - (ii) the move and use of the restraint is required to be noted administratively.