



LEGISLATIVE ASSEMBLY OF THE NORTHERN TERRITORY

No. 332

WRITTEN QUESTION

Justine Davis to the Minister for Corrections, Hon Gerard Maley MLA:

Shackling and general restraint on persons giving birth

1. Does NT Corrections have a specific, dedicated Standard Operating Procedure (SOP) or Commissioner's Directive regarding the management and restraint of pregnant prisoners and those in active labour?
 - a. If a specific pregnancy and childbirth restraint policy /directive/SOP exists, what strict criteria or "exceptional circumstances" warrant for the shackling of a woman during childbirth?
 - b. Does NT Corrections apply the exact same mechanical restraint protocols and security standards to pregnant prisoners during labour and childbirth as it does to male prisoners undergoing general external medical procedures, or is there a separate, specialized Commissioner's Directive, Standard Operating Procedure (SOP), or clinical guideline that explicitly accounts for the unique biological and medical realities of childbirth?
 - c. Does NT Corrections require an individualised risk assessment before applying mechanical restraints to a pregnant prisoner outside a correctional centre?
2. Given the systemic confusion and contradictions between Directives and SOPs exposed in the matter of Mati Tamwoy [2025] NTLC 1, did the Department successfully complete its review and remove all policy inconsistencies by the committed deadline of 31 July 2025?
 - a. If successfully completed, then in the interest of accountability and human rights compliance will the Government commit to publicly releasing the updated Commissioner's Directives and SOPs regarding the use of force and restraints?

- b. If the Government will not make Commissioner's Directives and SOPs regarding the use of force and restraints public, what independent oversight mechanism is currently auditing NT Corrections to ensure the coroner's recommendations have been fully implemented?
 - c. If the revised Directives and SOPs will not be published, what independent mechanism enables Parliament, prisoners, health professionals, advocates and the public to verify that Recommendation 75 of the Inquest report has actually been implemented?
- 3. What objective, standard guidelines exist within NT Corrections to define what constitutes "reasonably necessary" force and "reasonable circumstances" under Section 138 of the Correctional Services Act 2014?
- 4. What specific training modules or practical framework do correctional officers receive to objectively assess "reasonableness" and "last resort" criteria before deploying restraints on low-security or vulnerable inmates in hospital settings?