



Form 65 (version 2)
Work Health and Safety Act 2011 – Pt 5, Div 7A

NOTIFICATION OF A WHS DISPUTE

Pursuant to Division 7A of Part 5 of the *Work Health and Safety Act 2011*

COURT DETAILS

Court	Industrial Relations Commission of NSW
Jurisdiction	Commission
Registry	Parramatta
Case number	2026/00398687

TITLE OF PROCEEDINGS

Notifier	Public Service Association and Professional Officers' Association Amalgamated Union of New South Wales (PSA)
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Respondent	Corrective Services NSW (Department of Communities and Justice)
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FILING DETAILS

Filed for	Notifier (Public Service Association of NSW)
#Representative	Jim Minns, Solicitor for the Justice Team
Contact number	0432031045
Contact email address	jminns@psa.asn.au
Respondent	Gary McCahon, Commissioner Corrective Services NSW (02) 8346 1000 gary.mccahon@correctiveservices.nsw.gov.au

DETAILS OF DISPUTE

Workplace where dispute exists	NSW Women's Custodial Network (including Silverwater Women's Correctional Centre, Dillwynia Correctional Centre, Mary Wade Correctional Centre, and Clarence Correctional Centre)
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WHS matter the subject of the dispute

- ☐ Work group determination matter.
- ☐ Work group variation matter.
- ☐ Access to information by a health and safety representative under s 70(1)(c).
- ☐ A request by a health and safety representative for a person assisting the representative to have access to the workplace under s 70(1)(g).
- ☐ A matter mentioned in s 72(2)(a) or (b) or (4) relating to training for a health and safety representative.
- ☐ A health and safety committee matter.
- ☒ A matter about work health and safety that is an issue to which Division 5 applies.
- ☐ An issue about cessation of work under Division 6.

Has an inspector been appointed to assist the parties to reach an agreement or resolve a dispute?

- ☐ Yes
- ☒ No

#If yes – has there been a decision made by the inspector to exercise, or not exercise, compliance powers under Part 10, which is subject to review under Part 12?

- ☐ Yes
- ☐ No

DESCRIPTION OF DISPUTE AND RELIEF SOUGHT

Note: Set out below a summary of the dispute and the relief sought. Please **be brief** – you will have the opportunity to provide more details to the Commission at the conciliation and during any arbitration.

Pursuant to s 102C(3) of the *Work Health and Safety Act 2011* (NSW) this notice is required to be published on the Commission's website as filed. Accordingly, do not attach documents or include material that is inappropriate to be published on the Commission's website, including personal information of individuals such as email addresses or phone numbers. Relevant documents that you wish the Commission to have available to it to assist to resolve the dispute should be filed separately after the application is filed in accordance with Practice Note No. 37.

- 1) A dispute exists between the Notifier (PSA) and the Respondent (CSNSW) regarding immediate, systemic Work Health and Safety (WHS) hazards and risks of physical assault and psychological injury to custodial officers arising from a major operational transition of the women's custodial network scheduled for **1 October 2026**.
- 2) The Respondent has failed to satisfy its duty of care under s 19 of the *Work Health and Safety Act 2011* (NSW) and its consultation obligations under ss 47–49 of the Act by:

Absence of Staffing Schedules (P28s):

- 3) Directing Dillwynia Correctional Centre and Mary Wade Correctional Centre to accept revised female inmate cohorts effective 1 October 2026 without approved, funded P28 master staffing schedules or validated risk controls establishing minimum safe staffing posts and emergency response coverage.

Unsafe Reclassification of Violent/Segregation Inmates:

- 4) PSA has been made aware that inmates have been reclassified. Specifically, high-risk female inmates requiring segregation and maximum-security supervision to minimum-security status for placement in low-security facilities (Mary Wade Correctional Centre and Clarence Correctional Centre), for the purposes of housing them during this operation deadline of 1 October - exposing custodial staff to foreseeable physical assault.
- 5) Operating Silverwater Women's Correctional Centre at an ongoing deficit of approximately 20 custodial staff below baseline operational requirements while retaining high-needs specialist mental health populations is a risk.
- 6) Attempting to manage a critical statewide deficit in female custodial beds through last-minute, unassessed mass inmate transfers across regional facilities (including up to 100 inmates to Clarence Correctional Centre) without prior WHS risk assessment or union consultation creates further risk.

Relief Sought

The Notifier seeks that the Commission list an urgent compulsory conference under Part 5, Division 7A of the WHS Act and s 132 of the *Industrial Relations Act 1996* (NSW), and issue interim orders compelling the Respondent to:

1. Immediately stay/suspend the implementation of the 1 October 2026 operational transition across the women's custodial estate until comprehensive WHS risk assessments and Safe Work Method Statements are completed in consultation with the PSA.
2. Immediately cease the reclassification and placement of violent or segregation-eligible female inmates into minimum-security facilities.
3. Produce finalized, funded P28 master staffing schedules for Dillwynia, Mary Wade, and Silverwater Women's Correctional Centres for WHS review prior to any operational changes or inmate population increases.
4. Restore minimum baseline staffing levels at Silverwater Women's Correctional Centre to eliminate critical shift deficits.

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LISTING DETAILS

The parties will be advised of the date, time and place when the Commission will list this matter for directions. Any enquiries should be made to the Industrial Relations Commission Registry on 02 8688 3516.

SIGNATURE

Capacity	Solicitor
Date of signature	25 September 2026

COMPLIANCE WITH PRACTICE NOTES

Parties must comply with the Practice Notes of the Commission. The Practice Notes may be found at the following website:

<https://www.irc.nsw.gov.au/irc/practice-and-procedures/practice-notes.html>

REGISTRY ADDRESS

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or

	Level 5, 10 Smith Street Parramatta NSW 2150
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