

INVESTIGATION SUMMARY

‘That’s assault mate’: **Investigation into alleged misconduct in a private prison and how it was handled**

November 2025

Summary



[I said] 'That's assault, mate. That's assault'. ... He just looked at me and went, 'I don't know what assault you're talking about'.

Kyle to the Supervisor

What we investigated

We received complaints alleging that private prison staff assaulted a man being held on remand ('Kyle'), restricted his access to medical help, and encouraged a further assault on him by other people in the prison.

The events were alleged to have unfolded at Ravenhall Correctional Centre ('Ravenhall'), a private prison run for the State by The GEO Group Australia Pty Ltd ('GEO').

We investigated whether a Supervisor and an Officer at Ravenhall used unreasonable force on Kyle, and failed to report it. We also looked at whether the Supervisor disabled a communication device in Kyle's cell, and later sent three men there to harm him.

As part of this we considered GEO's review of the alleged events and whether the actions it took in response were adequate. We also investigated how Corrections Victoria, which is part of the Department of Justice and Community Safety ('the Department'), oversaw the matter.

Why it matters

The allegations raised serious concerns spanning multiple corruption risks: excessive use of force, blurred professional boundaries, misuse of power and inhumane treatment of a person in prison.

Days before the alleged assaults on Kyle, Corrections Victoria had finalised a new strategy to improve its scrutiny of private prisons amid ongoing concerns about operator performance.

Kyle's case was an important test of these enhanced efforts to ensure private prison operators are delivering a vital public function to expected standards.

It is essential that the various internal and external oversight mechanisms built into the private prison contracts work properly to ensure full accountability, to safeguard the safety and rights of people in prison, and to maintain trust in the corrections system.

What we found

In relation to the allegations about the Supervisor and the Officer:

- **The Supervisor used unreasonable force, and both he and the Officer failed to report this.** Though both staff members and GEO deny any force was used, on the balance of probabilities we found the Supervisor struck Kyle in the face and the Officer did not intervene to protect Kyle. We also found neither officer adhered to incident reporting rules.
- **The Supervisor restricted Kyle's access to medical help after punching him.** Soon after Kyle left the Supervisor's office where the punch happened, the Supervisor disabled Kyle's InCell device. This prevented Kyle from using it to make a medical appointment. We did not accept the multiple reasons the Supervisor gave for turning off the device.
- **The Supervisor did not send three people to Kyle's cell to further harm him.** We were not satisfied to the required standard of proof that the Supervisor influenced three people in prison to assault Kyle. However, he referred to the men as 'heavies' who kept the unit 'in check', and he did direct at least one of them to visit Kyle's cell. While we do not know exactly what happened inside, Kyle expressed fear for his life immediately after.

In relation to how GEO and Corrections Victoria handled the assaults and other concerns arising from the alleged events:

- **Separate investigations by Corrections Victoria and GEO into the events reached different findings.** Corrections Victoria found the Supervisor did assault Kyle, which was a service delivery breach under the contract. GEO was unable to substantiate an assault. This exposed a misalignment in their respective approaches to reviewing incidents and performance.
- **GEO was too blinkered to some of the broader integrity concerns the case raised.** This highlights some potential pitfalls of self-scrutiny by private prisons, and underscores the importance of Corrections Victoria providing an effective layer of external oversight.
- **The Supervisor stayed on frontline duties for weeks after the allegations surfaced and resigned without facing disciplinary action.** This raises questions about how to balance GEO's right as a private company to manage its own workforce against the responsibilities the company and the State have for people held at Ravenhall.
- **GEO paid a significant financial penalty because the assault was a service delivery breach under the Ravenhall contract.** Corrections Victoria now acknowledges the matter should also have been treated as a 'Probity Event' under the contract. GEO and Corrections Victoria have since jointly developed a 'probity framework' to improve incident handling.
- **The InCell system still allows staff to arbitrarily restrict access.** GEO told us it had clarified its policy and reminded staff InCell access was to be changed only in limited circumstances and in keeping with the Human Rights Charter. The Department told us it was satisfied with this, and that it had changed a relevant Commissioner's Requirement. However, we think further system controls are required.

Responses to our findings

- **The Supervisor** has always denied using any force against Kyle and insisted there was no incident to report. He said he had legitimate reasons to disable Kyle's InCell device. He strongly disagreed with our findings and said he had not acted contrary to the Commissioner's Requirements, Corrections Act or Human Rights Charter.
- **The Officer** has always denied that he witnessed any use of force or that he failed to intervene to protect Kyle, and maintained there was no incident to report. He strongly disagreed with our findings.
- **The GEO Investigator** rejected our conclusion that the Supervisor assaulted Kyle, and stood firmly by GEO's investigation process, report and findings. He maintained there were too many variables to find that an assault occurred, including 'significant' differences in the accounts key witnesses gave.
- **GEO** asked us to publish its detailed response to our report in full. You can read it in Appendix 2 in the full report (with minor redactions). GEO noted the company's silence on some topics raised in our report 'should not be taken as agreement' with our findings.
- **Corrections Victoria** emphasised it works with GEO constructively to manage any service delivery issues, and that it has a detailed assurance framework in place to proactively monitor private prison performance and ensure the safety and humane treatment of people in prison.

What needs to change

Overall, we are concerned at the potential for integrity risks and other deficiencies to slip through both GEO's internal controls and the Department's external oversight. We have made five recommendations intended to ensure people in prison are not deprived of access to medical treatment and to strengthen oversight of serious incidents in private prisons.

Recommendations

It is recommended that the Department of Justice and Community Safety:

Uphold the rights of people in prison

Recommendation 1

Within 12 months:

- a. ensure Commissioner's Requirements explicitly and prominently prohibit removal of access to medical services, under any circumstances, for people in prison
- b. work with The GEO Group Australia Pty Ltd to develop a plan to implement adjustments to the InCell technology to ensure access to medical services via the system cannot be restricted.

Department response:

Accepted

Recommendation 2

Ensure where there is sufficient evidentiary basis to do so and there is a risk to the safety and human rights of people in prison, private prison staff who are the subject of allegations under active investigation are removed from frontline service.

Department response:

Accepted

Improve the standard of private prison investigations

Recommendation 3

Put in place a system within 12 months (similar to the Internal Management Review levels in public prisons) enabling it to be proactively involved in setting the terms of reference and monitoring the progress of investigations conducted by private prison operators and, in the most serious cases, to lead these investigations.

Department response:

Accepted

Recommendation 4

Require, within 12 months, that investigation reports provided to Corrections Victoria by private prison operators must include dedicated consideration of whether relevant contractual obligations have been met (eg Service Delivery Outcomes, Charge Events, Probity Events).

Department response:

Accepted

Promote transparency of the prison system

Recommendation 5

Report annually to Parliament summary details of each Charge Event and Notice (Service Failure, Default or Major Default) recorded at each private prison.

Department response:

Not accepted. The Department indicated it considered this impractical to implement, but said it would explore with our office other practical actions that might be taken.



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