



The Hon. Greg Smith SC MP
Attorney General
Minister for Justice

16 December 2013

Mr David Blunt
Clerk of the Legislative Council
Parliament House
Macquarie Street
SYDNEY NSW 2000

Dear Mr Blunt

I seek to present the NSW Government's response to the final report of the Legislative Council Select Committee on the Closure or Downsizing of Corrective Services NSW Facilities, pursuant to Legislative Council Standing Order No. 233. The Government's response is enclosed.

Yours sincerely

Greg Smith

*Received by me at 12.30pm 16 December
2013 and authorised to be printed.*

for
Clerk of the Parliaments



The Hon. Greg Smith SC MP
Attorney General
Minister for Justice

The Hon Paul Green MLC
Committee Chair
Legislative Council Select Committee on
Closures or downsizing of Corrective Services NSW Facilities
Parliament House
Macquarie Street
SYDNEY NSW 2000

13/3811-02

Dear Chair

Re: Inquiry into the closure and downsizing of Corrective Services NSW Facilities

Please find enclosed the Government response to the above Inquiry.

Yours sincerely

Greg Smith
12/12/13

**LEGISLATIVE COUNCIL INQUIRY INTO THE CLOSURE OR DOWNSIZING OF
CORRECTIVE SERVICES NSW FACILITIES**

Recommendation 1

That Corrective Services NSW undertake comprehensive rural communities impact statements as part of proposals to close or downsize correctional centres located in rural and regional NSW. These rural communities impact statements should:

- a) include information about the projected social and economic impacts of the decision on local communities, including short, mid and long term impacts; and**
- b) be submitted to Cabinet to assist in their consideration of proposals to downsize or close correctional facilities.**

Response:

The Government supports this recommendation.

The Committee has correctly identified the need to recognise economic and social impacts of government decisions, and for this to be reflected in consultation and implementation plans.

The Government will strengthen existing processes to ensure proposals brought to Cabinet demonstrate that the potential impacts on regional communities have been considered, and that steps are taken to plan for and respond to such impacts.

However, the requirement for a detailed analysis will depend on the nature and type of the proposal and likely community impact. For example, small-scale operational changes to a correctional centre in a location (such as the closure of a wing), which do not have a significant impact, may not require such a detailed level of analysis.

Recommendation 2

That Corrective Services NSW consult with NSW Trade and Investment in relation to any proposals to close or downsize correctional centres.

Response:

The Government supports this recommendation in principle, noting that the decision to consult will again depend on the type and nature of the proposal, and likely community or regulatory impact.

Recommendation 3

That Corrective Services NSW develop a strategy to provide support to Indigenous inmates and their families who have been relocated to a facility that is further away from their families and/or Country as a result of the closing or downsizing of a correctional centre. The strategy should include mechanisms by which families can be provided support to increase their ability to visit inmates, as well as additional alternate methods to facilitate increased contact between inmates and their families.

Response:

The Government supports this recommendation.

As the Committee was previously advised, Corrective Services NSW (CSNSW) already has strategies in place to support Indigenous inmates who have been relocated to other facilities, as well as their families. This includes the Travel and Accommodation Assistance Scheme and the Family Video Contact Program, which is run in conjunction with non-government organisations (e.g. SHINE for Kids, Community Restorative Centre) and identified court locations.

The CSNSW Aboriginal Support and Planning Unit provides information and assistance to eligible Indigenous inmates and their families in relation to applications for transfer to other centres on compassionate and/or medical grounds. This enables inmates to be placed closer to their families. CSNSW is also currently updating its website to provide easier access to its Aboriginal Support and Planning page, including links to the Travel Assistance form and information about locations for the Family Video Contact Program.

Consideration is currently being given to expanding the Family Video Contact Program, which would see two further court locations included - Lismore and Parkes. The Program run from these locations would have a focus on Indigenous families.

CSNSW is currently rolling out a pilot enabling identified families to use mobile and fixed devices from their own homes to maintain family video contact. The pilot will provide services to more than 30 families who live in remote areas, interstate and overseas.

The Committee was also advised that two positions in the Inmate Classification and Case Management Branch are identified Indigenous positions. The position holders have responsibility for Indigenous inmates in all correctional centres. The position holders are well known contact points within CSNSW for Indigenous inmates and their families.

Recommendation 4

That Corrective Services NSW develop a policy document and supporting procedures to be followed when downsizing or closing correctional facilities.

Response:

The Government supports this recommendation.

As the Committee was previously advised, CSNSW is developing a framework to guide the future management of correctional facilities. The framework will focus on public protection and best practice models for inmate management. The framework will address issues such as determining correctional centre infrastructure requirements and optimal utilisation of existing and proposed correctional centre infrastructure.

The newly established business structure within CSNSW will enable a more strategic approach to issues concerning any future opening and/or proposed closures or downsizing of facilities. Under the new CSNSW business model, Head Office will assume a greater strategic leadership role and will drive cultural change across the organisation. This will include identifying and developing resource frameworks, best practice business approaches, future infrastructure needs, and integrated policy development across custodial and community corrections.

Recommendation 5

That, where possible, Corrective Services NSW facilitate the continued presence of offenders helping in communities where correctional facilities have been closed or downsized.

Response:

The Government supports this recommendation.

CSNSW maintains projects in the community using community offender resources at various locations, such as Grafton. CSNSW will continue to use inmate resources to undertake community project work whenever possible and feasible.

Recommendation 6

That the NSW Government co-ordinate and facilitate the development of economic growth strategies in rural and regional areas where a correctional centre is to be closed or downsized. The Government should engage with local communities and key stakeholders, including local government.

Response:

The Government supports this recommendation in principle.

In instances where a significant reduction of public sector jobs is to occur in a region, the NSW Government will work with other levels of Government, business and local communities to develop strategies to plan for and respond to the impacts of job losses and provide support to local economies.

The Government will consider how to strengthen existing processes to address economic impacts on regional communities.

Recommendation 7

That the NSW Government commit a proportion of savings achieved in the closure or downsizing of correctional facilities to justice reinvestment programs. That, as part of its job creation strategy for the Clarence Valley, the NSW Government consider committing funds to justice reinvestment programs to be based in Grafton.

Response:

The Government does not support this recommendation at this time.

Savings can only be apportioned when expenditure is managed within budget. NSW Treasury must allocate any savings according to the Government's budget priorities.

The Government notes that justice reinvestment is typically used in countries that have a much higher proportion of offenders with custodial sentences than in NSW.

Justice reinvestment is suitable where the volume and density of potential offenders in specific areas are such that their diversion from custody makes it possible to close an entire correctional wing or facility. In NSW, the relatively small number of inmates and their geographic spread make this unlikely and any financial benefits are likely to be marginal.

The Government supports the concept of justice reinvestment. The potential for successful implementation of the justice reinvestment model in regional areas would need to be investigated on a case by case basis.

Recommendation 8

That the State Property Authority consults widely in the formulation of management plans and options for adaptive re-use of former heritage Corrective Services properties, and expedites their adaptive re-use as soon as possible.

Response:

The Government supports this recommendation.

Since the introduction of Premier's Memorandum 2012-20 in December 2012, Government Property NSW (**GPNSW**) now serves as the Government's central acquisition and disposal agency.

GPNSW works closely with relevant State agencies and local councils to expedite the adaptive re-use of these facilities for private purposes. For example, Berrima

Correctional Centre may have commercial potential, given its location in the township of Berrima which attracts visitors. A tourism-related use of this heritage-listed facility would complement the existing surrounding heritage buildings and may present commercial opportunities.

As part of the disposal process for this tranche of CSNSW properties, it is also expected that GPNSW will undertake various value adding services to optimise the service delivery of these facilities prior to divestment. This may include:

- Preparing heritage management plans
- Rezoning the land/property
- Removing constraints such as title issues and easements
- Addressing environmental and land management issues, as well as managing commercial negotiations.

GPNSW will follow a process that considers each property's highest and best use. A Property Disposal Plan will be prepared. This Plan is an integral part of the CSNSW Asset Management Strategy and will be aligned to the desired service outcomes for CSNSW. The Plan will then be reviewed and a consolidated report with recommendations will be submitted to the Minister for Finance and Services.

Recommendation 9

That, should there be a need to build new correctional centres in the north of the State to accommodate the inmate population, Corrective Services NSW give consideration to planning a new facility in the Clarence Valley region. The new facility should complement the existing minimum security section of the Grafton facility.

Response:

The Government supports this recommendation in principle if there is a need for a new correctional facility in the north of the state.

The design and establishment of new correctional centres at a location is informed by factors such as budgetary constraints, demand for correctional services, and the size of the inmate population. If a new facility is required in northern NSW, then it will be necessary to have regard to these factors at that time.

The framework being developed by CSNSW will guide the development of future proposals as they relate to the management of CSNSW facility assets.