

Response to Public Accounts Committee

## **PERFORMANCE AUDIT – Managing growth in the NSW Prison Population**

### **RESPONSE TO SUPPLEMENTARY QUESTIONS**

**As at 14 December 2020**

#### **Recommendation 1**

**The Audit recommended that the Department should advise the NSW Government on options to meet the urgent need for additional prison bed capacity within the metropolitan Sydney area, to meet its projected shortfall in for-for-purpose beds from 2022.**

**1. Please provide an update on the status the Department's plans to meet metropolitan capacity demand, including:**

**a) Those planned for capacity management, after the prison bed capacity program ends in 2021.**

Whilst the Prison Bed Capacity Program (PBCP) is on track to deliver additional capacity to meet medium-term needs, there remains a projected shortfall of prison beds from 2025 and strategies are in place to deliver new metropolitan capacity, subject to government approval and funding.

A strategic business case was endorsed by the Expenditure Review Committee (ERC) in September 2017. Corrective Services NSW is currently working with stakeholders to develop options for additional long term capacity in Greater Sydney. This includes:

- Identification of a suitable site(s) for acquisition within the Sydney metropolitan area to meet the forecast additional capacity needs into the future; and
- Options for further development of existing metropolitan prison sites.

A Final Business Case is being prepared to assess options for consideration by Government later in 2021.

**b) Has the reliance on temporary measures to meet demands for increased capacity compromised staff and prisoner safety?**

The Department implemented a range of measures to manage staff and prisoner safety whilst the system was required to rely heavily on the use of temporary 'double-up' and 'triple-up' beds in cells to meet demand. This included the addition of extra staff into some centres where required.

The delivery of more than 6000 new prison beds by the Prison Bed Capacity Program, and Clarence Correctional Centre has now provided the agency with sufficient additional 'fit for purpose' capacity to allow the decommissioning of temporary 'double-up' and 'triple-up' beds via the Prison Bed Capacity Adjustment Program (PBCAP). This program is retiring temporary beds as new beds are commissioned to improve staff and inmate safety.

## **Recommendation 2**

**The Audit recommended that the Department advise the NSW Government on whether the prison system has sufficient fit-for-purpose capacity to manage temporary fluctuations in the inmate population.**

### **2. What are the current fit-for-purpose utilisation rates since the Report's publication?**

The prison population as of 10 December was 12,839 and has reduced during 2020 due to the impacts of COVID-19 and the operational utilisation rate has fluctuated accordingly. With the delivery of the most recent infrastructure by the PBCP, there are a total of 16,629 beds in the network that are fit for purpose.

### **3. Can you explain the process behind temporary bed recommissioning and/or decommissioning?**

With the Prison Bed Capacity Program (PBCP) bringing online new infrastructure, CSNSW has been able to undertake a network configuration adjustment, to enable the removal of high risk and temporary beds, in order to enhance the operations of the network.

#### **a) Please include information about activation/trigger points.**

Activation/trigger points are in place for when the population reaches 95% of the Network Operational Capacity. The Prison Bed Capacity Program installed around 1,000 fit for purpose 'surge beds' throughout the system in excess of the operational capacity of correctional centres to provide emergency short term capacity relief if needed.

### **4. What proportion of prisoners are currently accommodated within the fit-for-purpose capacity?**

Of the current prisoner population, most inmates are currently accommodated in fit for purpose beds. Other temporary and high risk beds will be removed from the network as part of the PBCAP program. Following completion of the PBCAP program, all prisoners in NSW will be accommodated in facilities that are considered fit for purpose.

### **5. What has been the impact of decommissioning correctional centres on metropolitan capacity?**

The impact on metropolitan capacity due to the decommissioning of Grafton, Brewarrina, Ivanhoe and Berrima Correctional Centres and the Illawarra Reintegration Centre (IRC) has been minimal.

Ivanhoe, Brewarrina and IRC were very small regional centres with a total of 146 beds. Inmates from these centres were transferred to expanded regional centres. Inmates from Grafton Correctional Centre were transferred to Clarence Correctional Centre. 248 additional prison beds for women have been commissioned at the Dillwynia Correctional Centre at South Windsor replacing bed capacity for women following the Berrima closure.

### **Recommendation 3**

**The Department has implemented video conferencing from correctional centres (Audio-Visual Link or AVL) to assist people in custody in appearing before court, consulting with legal and medical professionals and communicating with family and friends. This implementation has reduced the number and costs of inmate movements.**

#### **6. What is the rate of prisoner transfer to health facilities since the implementation of AVL?**

Whilst there has been a significant increase in the number of medical appointments facilitated via AVL in the last 12 months, we are not able to estimate any consequent reduction in the rate of inmate transfers to health facilities as this is entirely a matter for the health service providers.

##### **a) Has videoconferencing impacted on these rates?**

In July 2019, CSNSW facilitated 106 medical appointments via AVL. In July 2020, CSNSW facilitated 360 medical appointments via AVL, representing an increase of 339% in 12 months.

#### **7. Is the Department considering other digital services to support inmate social reintegration (i.e. educational services or maintenance of links between inmates and their families and communities)?**

The Department has a number of strategies in place to support inmate social reintegration through the use of digital services. Strategies aimed at utilising digital technology to support rehabilitation align with the Premier's Priority to reduce adult reoffending and domestic violence reoffending in the prison population. These strategies include:

- The establishment of an online **Therapeutic Access Portal (TAP)** for offenders and their families. The website assists offenders to better engage in therapeutic programs and access resources during and after program completion. It also offers information for family members on how they can support the offender's positive behaviour change and ongoing use of new skills after program completion.
- The development of a **Smartphone App (TAP App)** that would allow offenders in the community to monitor their behaviour as well as access resources for their behaviour change maintenance.
- Expanding technology to deliver psychology services and rehabilitation programs across community corrections and custodial corrections via the **Live Virtual Therapeutic (LiViT)** platform. The use of this technology enables delivery of therapeutic group programs and psychology services to remote NSW using online video conferencing. LiViT platform delivery opportunities were expanded in response to the COVID-19 pandemic, as a platform in which criminogenic program and psychology service delivery could be significantly increased to continue treatment to support reducing reoffending.
- Improving the productivity of in-cell time for inmates, through the use of self-service digital technology which will improve access to interventions and improve connection to family and social supports. A pilot project has been implemented at two correctional centres, involving the delivery of content to inmates via tablets.

#### **Recommendation 4**

**The Audit recommended that the Department continue to use Justice Impact Assessments to advise the NSW Government of the impact of policy changes on immediate and longer-term demand for prison beds and prisoner support services, including for specific inmate cohorts. The Department reported that this recommendation has been implemented.**

#### **8. Has the Department made any amendments or improvements to the Justice Impact Assessments in order to allow for or to address emerging trends?**

The Department is continuously working on improving the Justice Impact Assessment process, a function that now sits within the NSW Bureau of Crime Statistics & Research (BOCSAR). BOCSAR has been working closely with a range of stakeholders including policy developers and operational experts to assess the impact of new proposals as they arise, and have also undertaken a series of modelling work to incorporate the impact of the COVID-19 pandemic into its prison population forecasts. BOCSAR is also working closely with CSNSW to further develop the long term population projections to inform the next version of the Corrective Service Infrastructure Strategy, including looking at inmate cohorts with specific service needs.

#### **Question taken on notice**

**Commissioner SEVERIN:** The Drug Court has been a very successful initiative which has been in place for quite a long period of time. It has been evaluated as really producing the outcomes. We are very much involved, as one of the six or seven stakeholders, and we do a number of things there. We monitor offenders in the community that come out of the Drug Court. We have a compulsory drug treatment centre on the Parklea site, which we manage. It is not privately managed. It is for the alternative to prison placement of those that have to be in custody. **We are also monitoring those who are in the community on leave through electronic monitoring, et cetera. I understand—but I would have to take the details of it on notice—that with the just-announced budget there might be a further expansion of the Drug Court.** I think the Treasurer announced that as part of the budget, but I am happy to provide that information separately. Again, that is very welcomed by the criminal justice system, knowing that it is a very effective way of dealing with those who are seriously drug dependent and, as a result of that, commit a lot of property crime and violent crimes.

**The Treasurer's FY2020-21 budget announcement does not include an expansion to the operations of the Drug Court.**