



LEGISLATIVE COUNCIL

PORTFOLIO COMMITTEE NO. 4 – LEGAL AFFAIRS

MEDIA RELEASE

PARKLEA PRISON INQUIRY – REPORT RELEASED

FOR IMMEDIATE RELEASE

21 December 2018

An Upper House committee released its report today on serious and systemic problems at the private prison, Parklea Correctional Centre, in Western Sydney.

'The inquiry commenced in the wake of a media crisis that erupted in mid 2017 highlighting serious lapses in security and major problems with contraband at Parklea, which at the time was the second largest prison in the state and one of two private prisons in New South Wales', said the Committee Chair, the Hon Robert Borsak MLC.

'The uploading of a video filmed on a contraband phone to YouTube – in which an inmate flaunted homemade weapons and drugs and claimed mobile phones were brought into the prison by guards for money – immediately prompted the Minister for Corrections to call for an investigation, and the Commissioner to order an unprecedented 'intervention' at the prison. Further evidence gathered during the committee's inquiry made it very clear that these incidents were indicative of serious and systemic failings at Parklea under the company contracted to run it, the GEO Group Australia'.

The committee made a number of findings critical of the prison operator as well as Corrective Services NSW (see attached):

- that the problems that erupted were symptomatic of more fundamental failures of leadership and culture
- that the GEO Group failed to meet its obligations in respect of the prison, failed to manage it effectively and failed to address its problems in a timely and effective way
- that Corrective Services NSW did not exercise due diligence in its governance over the prison and its operator and has not taken sufficient responsibility for its part in the crisis
- that deficiencies in the contract with the private operator significantly contributed to the problems
- that the current independent oversight mechanism for the state's correctional system was inadequate to identify the prison's core problems.

Mr Borsak stated, 'A new company has now been contracted to operate the centre from April 2019, but the committee has made a number of recommendations to address the transparency and accountability of private prisons, to manage their risks, and to ensure that their quality and standards do not erode.'

Other recommendations (see attached) address the two new rapid build dormitory prisons, the oversight provided by the Inspector of Custodial Services, and health services provided within all NSW prisons.

For more information about the inquiry, including the terms of reference, please visit the committee's website at: www.parliament.nsw.gov.au/parklea

-ENDS-

*For further information please contact the Committee Chair,
the Hon Robert Borsak MLC, on (02) 0407 194 136*

Findings

- Finding 1** **37**
That the problems of security and contraband that erupted into crisis at the Parklea Correctional Centre in 2017 were symptomatic of more longstanding fundamental failures of leadership and culture in the private prison.
- Finding 2** **37**
That the GEO Group Australia failed to meet its obligations in respect of the operation of Parklea Correctional Centre, failed to manage the prison effectively, and failed to recognise and address the significant and systemic problems that occurred there in a timely way.
- Finding 3** **38**
That Corrective Services NSW:
- did not exercise sufficient diligence in its governance over Parklea Correctional Centre and its operator, the GEO Group Australia, allowing the problems at Parklea to escalate to the point of crisis before intervening with sufficient strength to address them
 - has not taken sufficient responsibility for its part in the crisis that occurred at the prison.
- Finding 4** **39**
That the current independent oversight mechanism for the New South Wales corrections system was inadequate to identify the significant and systemic problems of leadership and culture that occurred at Parklea Correctional Centre.
- Finding 5** **50**
That the deficiencies in the contract between the GEO Group Australia and Corrective Services NSW entered into in 2009 by or under the authority of the former Minister John Robertson significantly contributed to the problems at Parklea Correctional Centre.

Recommendations

Recommendation 1

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That in the interests of transparency and accountability to the public, the NSW Government publish the contracts for all privately operated prisons in full, apart from those parts which may compromise the safety and security of the correctional centre and place the public at risk.

Recommendation 2

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That by the end of 2021, and again in 2023, the Minister for Corrective Services table in Parliament a report by Corrective Services NSW on the implementation and effectiveness of its performance framework, the lessons learned and future improvements to be made.

Recommendation 3

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That Corrective Services NSW, in its report on the implementation and effectiveness of its performance framework, specifically consider:

- the effectiveness of its new contract for Parklea Correctional Centre
- how adequately the characteristics of individual centres have been recognised and accommodated within the framework
- how well the key performance indicators have captured the dynamics of prison life and the experience of inmates
- any evidence of erosion of standards
- any evidence of adverse outcomes from staffing changes during the benchmarking process, such as greater risks to staff and inmate safety
- the effectiveness of interventions with those prison governors whose centres are identified as underperforming
- potential improvements to encourage and measure reductions in reoffending
- any further steps to be taken to enhance accountability across the public and private corrections systems
- the private provision of health services at Parklea Correctional Centre.

Recommendation 4

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That Corrective Services NSW incorporate performance reviews for all correctional staff into its performance framework by December 2019, to improve service delivery.

Recommendation 5

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That the NSW Government ensure that each of the defining features of the rapid build dormitory model, including its structured day, extensive security, high staffing levels and careful selection of inmates, remain for the life of these prisons.

Recommendation 6

94

That the NSW Government ensure that the employment and training elements of the rapid build dormitory prisons' structured day be meaningful, with the long term purpose of equipping inmates for life in the community, and that these remain for the life of these prisons.

- Recommendation 7** **95**
That, with respect to the evaluation of the rapid build dormitory prisons, Corrective Services NSW:
- formally engage the input of an independent research body, to ensure impartiality
 - include detailed information gathered from the perspective of both inmates and staff.
- Recommendation 8** **95**
That the Minister for Corrective Services table all evaluation reports on the rapid build dormitory prisons in Parliament within one month of receipt.
- Recommendation 9** **95**
That Corrective Services NSW investigate and implement ways to better mitigate the problem of noise in the rapid build prison dormitories.
- Recommendation 10** **96**
That the NSW Government implement the structured day model that currently operates in the rapid build dormitory prisons, with meaningful employment and training programs, across the prison system.
- Recommendation 11** **106**
That Corrective Services NSW report annually to the Minister for Corrective Services detailed information on the activities and observations of its contract monitors for privately operated prisons, and on Corrective Services NSW's own decisions and actions in response to monitors' observations, and that the report be tabled in Parliament within one month of receipt by the Minister.
- Recommendation 12** **107**
That the NSW Government resource the Inspector of Custodial Services to implement the state's obligations under the *Optional Protocol to the Convention Against Torture* via its inspections regime.
- Recommendation 13** **107**
That the NSW Government:
- review the performance, functions, powers and resourcing of the Inspector of Custodial Services, in order to enhance the effectiveness of that office
 - conduct the review in the first half of 2019
 - ensure that any resultant legislative changes are introduced to Parliament by the end of 2019.
- Recommendation 14** **121**
That the NSW Government, over and above its recent investment in mental health services and infrastructure from 2018-19:
- provide sufficient additional resources to the Justice Health and Forensic Mental Health Network to enable it to meet the health needs of the New South Wales prisoner population, and their mental health needs in particular
 - ensure that 60 more forensic beds are provided urgently
 - ensure that there is sufficient investment in other mental health infrastructure for the prison population throughout the state.