

Set out below are my answers to the supplementary questions on notice I was requested to answer. I apologise for the delay.

1. In your situation you talk about meetings being scheduled in relation to the Grafton Correctional Centre's Management Plan. When were the meetings to be held? Who was to attend the meetings? Did the meetings progress after the announcement to downsize the centre?

Meetings were scheduled to review the Management Plan for Grafton Correctional Centre as part of a state wide review. The initial review was scheduled for late March 2013 (I can not recall the exact date) but was then moved to April, then May and finally for June. The announcement was made to "downsize" Grafton Correctional Centre and as a result of this the meeting did not occur in the fashion it was intended to be. The only meeting we were a part of with Corrective Services NSW after this was when upper level management led my then Deputy Commissioner Ian McLean met with Senior Industrial Officer Stewart Little, Organiser David McCauley and myself. Also present from Corrective Services were Mr Peter Peters, Ms Cathryn Hellams and a department psychologist whom I do not know his name.

Members of Corrective Services NSW who were supposed to attend the Management Plan meetings were Deputy Commissioner Ian McLean, Regional Commander Col Kellaher, General Manager and the executive of the local Prison Officers Vocational Branch (POVB). This meeting was the forum for local representatives to speak to management about concerns they had with the functions of the Correctional Centre and to discuss objectives such as the Variable Operational Routine (VOR), Structured Day routine, staff deficiencies, lock downs and strategies to alter any of the current functions of the respective Correctional Centre to create streamline efficiencies. It was also the opportunity for management of Corrective Services NSW to discuss budgetary issues as well as inform the local representatives of any forecasted or intended changes to the operations of the Correctional Centre. Overall these meetings were created to review the entire functions of the respective Correctional Centres.

This meeting would from previous history lead into a Local Board of Management meeting (LBOM). This meeting consisted of representatives from all areas within the Correctional Centre. These groups included and were not limited to representatives of the Commissioned Officers Vocational Branch (COVB), Prison Officers Vocational Branch (POVB), Industries, Offender Services and Programmes (OS&P) Teachers, Nurses and Administration. These meetings were traditionally held to give all stakeholders within the Correctional Centre the opportunity to air their concerns and or to inform upper level management of Corrective Services NSW how they felt their respective area within the Correctional Centre was performing. It again gave Corrective Services NSW the forum to consult with all stakeholders and inform them of any pending forecasted or intended changes to the operations to the operations of the Correctional Centres. The meeting also created the opportunity for staff to speak to upper level management of Corrective Services either in the open forum of the meeting or confidentially after the meeting. On other levels it was the opportunity for a basic meet and greet for those who did not know each other or on other terms for people to reacquaint themselves.

These meetings have proved to be helpful in other locations and would have been more than beneficial at Grafton Correctional Centre.

2. What do you think was the basis for the Grafton Correctional Centre to be downsized?

While Corrective Services NSW have drawn the Select Committee to believe the reason to downsize Grafton Correctional Centre was purely based on inmate numbers dropping across the state, financial restraints, forecasted cost efficiencies within Grafton Correctional Centre capturing broader based cost efficiencies throughout Corrective Services including the opening of a new area of Cessnock Correctional Centre, the age of the facility and the potential cost of maintenance to upkeep the Correctional Centre.

This in my opinion creates an area of doubt and blame shifting. I strongly feel the reason Corrective Services NSW made the decision to downsize Grafton Correctional Centre was based on the fact there were ongoing issues between local management, in particular the General Manager and staff. While Corrective Services NSW have drawn the assumption the issues lay between the members of the Prison Officers Vocational Branch and the General Manager, the issues in fact were far broader than this. The issues included a number of different members of staff and were far reaching, including racial vilification, assaults on staff members, threats made to staff, bullying and harassment and blatant intimidation. Upper management of Corrective Services NSW were well aware of the ongoing issues at the location.

To highlight the ongoing problems The Honorable Justice Marks attended Grafton Correctional Centre twice in an attempt to assist with the problems. Further to this we attended His Honours court room on many occasions to issues at Grafton correctional Centre and on one occasion His Honour described the relationship between staff and management as "toxic". His Honour went to the lengths through conciliation to strongly recommend a panel be arranged which would comprise a member of staff representing Corrective Services NSW, a person representing the Public Service Association and or Prison Officers Vocational Branch and an independent arbitrator to assist in trying to make Grafton Correctional Centre an environment conducive to a work location free of any incidents of bullying and harassment and to rid the location of the current relationship between staff and the General Manager. This was agreed to but after a short period of time I received a phone call from the Honourable Justice Marks who informed me he had spoken to Commissioner Woodham. The Commissioner wanted the opportunity to conduct an independent investigation of Grafton Correctional Centre. As a result of this Commissioner Woodham engaged Mr Mal Brammer in October 2011. This led to a whole sphere of different issues as the Commissioner failed to discuss any of the terms of reference for the investigation. When we enquired about the terms of reference of the investigation to Director Liz Ball we were informed it was in the hands of the Commissioner although she was led to believe Mr Brammer was given free reign to investigate what he felt necessary at Grafton Correctional Centre in an attempt to uncover the ongoing issues.

The Public Service Association/ Prison Officers Vocational Branch were informed when Mr Brammer had concluded his investigation. Unfortunately the obvious anomaly with Mr Brammers investigation and subsequent report in my opinion is Mr Brammer failed to speak to all of the staff who made representation to ICAC nor did he speak to all the staff who made complaint to Corrective Services NSW through Mrs Liz Ball and or Mr Col Kelaher. Corrective Services NSW stated Mr Brammer spoke to all staff who he felt were of interest in his investigation. From speaking to members of staff at Grafton Correctional Centre I can only ascertain Mr Brammer only spoke to one person who either raised concern with ICAC and or Corrective Services NSW.

When I raised my concern about the breadth of Mr Brammers investigation I was looked at with a blank face and told I would have to speak to the Commissioner about the matter. When I spoke to the Commissioner about the matter he informed me there would be ramifications to certain officers as a result of the report. The Public service Association/ Prison Officers Vocational Branch requested a copy of the report in full only to be informed this was not an option. An agreement was then struck between the Public Service Association and Corrective Services NSW to view the document at Long Bay Complex. When we entered the meeting which was attended by Mrs Liz Ball, Senior Industrial Officer Stewart Little, POVB Organiser David McCauley and myself we were informed we would have to sign a confidentiality clause prior to viewing an edited version of Mr Brammers findings of his investigation. I declined to sign the confidentiality clause as requested by Corrective Services NSW but was able to read sufficient of the findings to see there was in fact terms of reference set out in the documentation. To me this clouded the entire report when an obvious charter was given to Mr Brammer. After viewing more of the report I am of the firm belief it was very little short of a disingenuous investigation with no direct vision or scope created to resolve the realistic problems at Grafton Correctional Centre. To date even after numerous requests Corrective Services decline to permit the Public Service Association/ Prison Officers Vocational Branch view the total report compiled by Mr Brammer. While I am critical of the investigation conducted by Mr Brammer I am not critical of him directly as I am of the opinion he was given terms of reference to follow by Corrective Services NSW and he was not given a free reign as was suggested and we were informed.

To finalise this particular question I am of the firm belief there was more to the downsizing of Grafton Correctional Centre than has been Corrective Services NSW has suggested. I am of the belief management were of the belief the easiest way to address the issues at Grafton Correctional Centre was to downsize.

This theory will be highlighted through my answers and draw your attention to a totally different set of circumstances as illustrated by Corrective Services NSW.

3. Your submission raises concerns at the way in which management dealt with staff issues at the Grafton Correctional Centre. Were you involved in attempts to address the staff issues? If so, in what capacity and over what period of time?

Yes, I raised concerns in the manner and timely fashion Corrective Services dealt with staff issues.

There were a number of occasions I felt management, both at local level and senior management of Corrective Services NSW were treating different situations with either minimal urgency and respect through to total abandonment of the complaint.

Matters were raised by staff including allegations of potential corruption by management in particular the General Manager of Grafton Correctional centre. Corrective Services NSW failed to act in any manner in relation to the complaint. This led to a member of staff making a Personal Disclosure to ICAC. The complaint was investigated by way of an officer of ICAC attending Grafton and meeting with a number of staff who also made Personal Disclosures under the act. The outcome of the matter was unclear in my opinion but ICAC recommended Corrective Services NSW investigate the allegations raised. Corrective Services through Commissioner Woodham engaged Mr Michael Woodhouse to investigate the matter. Mr Woodhouse in my opinion was unprofessional from the aspect he exposed to the General Manager who he was interviewing and potentially exposed the staff members who filed Personal Disclosures. This was done by conducting his interviews in an area of Grafton Correctional Centre which the General Manager had access to and on more than one occasion he, the General Manager either walked by the room identifying the staff member being interviewed, he the General Manager also continued to ring the office being used and he the General Manager confronted a member of staff after they gave a statement and questioned them about their statement. Further to this when Mr Woodhouse took a statement from a member of staff who was suspended at the time in a motel room in Grafton. While this is not a major issue, there is an issue from the view point the interview was recorded by way of typing on a computer and not using the latest EROS machine in which Corrective Services NSW uses throughout the system. The problem this caused was when the officer giving the statement received his copy it was incorrect in many areas and the staff member can not recall if there were missing parts of his statement. These improprieties were raised with Corrective Services NSW as staff felt there would be reprisals from the General Manager. The answer we were given is the investigation was conducted in a professional manner and if we had any concerns the staff members in question should go to ICAC. Staff felt throughout the entire process they were not afforded any protection from the General Manager and there was a great prospect there would be "pay backs". This caused staff not to make further complaint on the matter and to keep quiet about the actions of the General Manager on the matter.

Another matter included Corrective Services NSW sending senior members of staff to Grafton Correctional Centre to investigate allegations of Bullying and Harassment by the General Manager. The staff members sent to Grafton were Director of Probity and Performance Liz Ball and Assistant Commissioner Col Kelaher. I was witness to the interviews with staff member who spoke to the two above mentioned people on an individual basis. The staff were so intimidated by General Manager that at a number of staff broke down emotionally through the interviews to the point of crying. The result of the meeting between the two parties was nothing. Again Corrective Services failed to act on the large number of complaints and concerns raised to the two senior members of staff who were sent to Grafton Correctional Centre to investigate the complaints.

Other complaints included intimidation by the General Manager when dealing a suspended member of staff. The General Manager attempted to influence a member of staff by going to his home to deliver official documents and while he was there he said words to the effect should cut the other two people

involved in the incident free because the Department was only after those two and not him. The inference received by the officer was he should change his statement.

Further to this incident the General Manager gave evidence in the Coroners Court and made statements that particular staff were unprofessional. It was obvious through the General Managers evidence he has personal issue with a particular officer and I feel it was obvious he was given a slanted representation of the particular officer in question. This led to further unrest at the Correctional Centre as the officer in question is a very well respected Senior Correctional Officer with over 20 year experience and service to Corrective services NSW.

Incidents of alleged assault from [redacted] who is a staff member of Corrective Services NSW on a member of staff who was known to be disliked by the General Manager. The officer whom was assaulted was the Chairperson of the Prison Officers Vocational Branch at Grafton Correctional Centre. The officer made an official complaint to Mr Col Kelaher but to date has not heard anything about the matter. The action taken was Mr Col Kelaher attended the location and he spoke to officer who made the complaint and a subsequent investigation was instigated. To date the matter has not been finalised and having spoken to the officer who alleged to have been assaulted he has not been informed of any outcome. This matter took place in April 2010.

Incidents of abuse have been reported by staff when staff were called "DOGS" on parade by the General Manager. The following day the General Manager apologised to canines on parade because he felt he was being disrespectful to canines. This was reported to upper level management who in my opinion minimised the incident and did not want to deal with the matter. Staff felt very aggrieved at this situation and it only sent the message that the General Manager appeared to be getting protected by Corrective Services NSW.

I have personally witnessed outbursts by the General Manager when he abused a member of staff whom he accused of staring at him through a meeting. He yelled at the officer in an abusive and aggressive manner which left a lot to be desired considering the position and rank this person held.

I have been involved in all matters concerning Grafton Correctional Centre since approximately 2007 in my capacity as State Chairperson on the Prison Officers Vocational Branch. I have assisted in any way possible and practical in an attempt to have the matters resolved. Unfortunately there always seemed to be something stopping upper level management from dealing with the problem even though on more than one occasion I was personally told the matter would be dealt with.

4. Your submission talks about "There was a distinct feeling there were other processes dealt with in the background and this was played out some 8 months later....." When do you think the decision to downsize Grafton Correctional Centre was decided upon?

The reason I made this statement was due to the fact Stewart Little and myself met with Commissioner Woodham on more than one occasion and throughout these meetings the one constant was that General Manager [redacted] would be moved from Grafton Correctional Centre and he would be placed somewhere else.

At a point in time which I think was about April/May 2011 General Manager [redacted] was temporarily relocated to Kempsey Correctional Centre and General Manager [redacted] Mr Jack Pavlovic was temporarily relocated to Grafton Correctional Centre. Staff throughout this period reported morale increased and the lines of communication had become effective and friendly instead of brash and abusive as it was at times from General Manager [redacted]. When the temporary move was reversed and both General Managers returned to their original locations morale at Grafton Correctional Centre again decreased. It should be noted that while [redacted] was located at Kempsey Correctional Centre the staff reported he was "making life difficult" for them by way of conducting himself in an abrupt and aggressive manner.

Through this time from approximately October 2011 we were informed [redacted] would be moved back to Sydney, he would be moved to Kempsey Correctional Centre and that he was going to be moved with no particular place mentioned. This was stated by Commissioner Woodham. Deputy Commissioner McLean was present at some of these meetings as well. Commissioner Woodham would give a time frame for this to happen only for it to pass. Another situation would then be discussed but again the time would pass and nothing would happen.

The bewildering and most astonishing part throughout this saga was General Manager Jack Pavlovic was offered a voluntary redundancy through this period to create a vacancy for General Manager [redacted] to be placed in. While Mr Pavlovic accepted the redundancy, again [redacted] was not moved and it caused a greater appearance he was "untouchable" and would never be moved not to mention as to whether or not the offer of redundancy was appropriate considering the policy capturing whether or not a redundancy can or can not be offered. This became interesting taking into account there were no positions made redundant at the rank of General Manager from Kempsey Correctional Centre.

Again another meeting was scheduled with Commissioner Woodham. This time Director Mrs Liz Ball was present. The meeting was held on John Morony Complex, Windsor. The Commissioner requested to meet with the Prison Officer Vocational Branch delegates from Grafton Correctional Centre as well. Through this meetings a number of issues were discussed but again Commissioner Woodham stated General [redacted] would be moved from Grafton Correctional Centre. Again the move did not eventuate.

By this stage staff we becoming increasingly alarmed at the current situation as veiled threats were made by General Manager [redacted] that if the Prison Officers Vocational Branch kept questioning things the gaol would close. This was said in a staff meeting. This caused great angst among staff. As a result of this Deputy Commissioner Ian McLean and myself attended the location. Mr McLean met with a number of staff and while he told them there was no immediate plan to close the location he could not give the staff any further assurances. This only compounded my theory there was something happening behind the scenes.

To concrete my theory a meeting was held with the local member Mr Chris Gulaptis in April 2012. This meeting was held in the officers amenities building within Grafton Correctional Centres grounds. Mr Gulaptis appeared to be surprised and somewhat astounded at some of the incidents reported to him. A question in relation to the closure of Grafton Correctional Centre was asked of him. Mr Gulaptis said he had no knowledge of a closure. The statement was then made that through his election campaign he stated there would be no closure of Grafton Correctional Centre. Mr Gulaptis said he would write to the Attorney General Greg Smith and try to meet with him when he was in Sydney the following week. It was Mr Gulaptis didn't return any positive news to staff the real and dire prospect something was going to happen in relation to the Correctional Centre.

I then received a phone call from an anonymous caller who told me the Public Service Association/ Prison Officers Vocational Branch needed to move quickly as Commissioner Woodham was going to close Grafton Correctional Centre. I asked why this was going to happen. I was told because he can not fix the place. Knowing the Commissioner was not in a position to take my phone call I rang Deputy Commissioner McLean who intimated there would be change at Grafton Correctional Centre but it was not going to be a full closure. These calls were made on Wednesday 27th June. A meeting was convened on Friday 29th June in which Deputy Commissioner McLean informed all respective stakeholders Grafton Correctional Centre would be downsized.

I am of the firm belief the decision to downsize Grafton Correctional Centre was made in October 2011. I have this belief due to the time line of events in which I have highlighted in this answering this question and others.

5. Do you think the decision to downsize Grafton Correctional Centre was initiated by the Government or by Corrective Services NSW senior management? What evidence do you have to support your statement?

I am of the firm belief the decision to downsize Grafton Correctional Centre was instigated by Corrective Services NSW, in particular Commissioner Woodham and or Deputy Commissioner Ian McLean.

It is evident through the time line of events there was never an intention to professionally and reasonably address the issues at Grafton Correctional Centre.

As a further insult to all people involved and captured through this disastrous process General Manager [redacted] was awarded with Exemplary service and Conduct by Commissioner Woodham.

This was awarded even knowing the issues caused and the involvement General Manager [redacted] was having at Grafton Correctional Centre. What makes this award even more insulting is General Manager [redacted] was previously reprimanded for misconduct a short time prior to being presented his award. The matter he was reprimanded for was not a minor issue either. This was told to me in confidence by a now retired officer who held the rank of Assistant Commissioner.

I am more than willing to discuss further matters in relation to my beliefs if the Committee would like to hear them. I am not willing to put this information in my submission as I too have concern about the repercussions of disclosing the actions of the members of Corrective Services NSW who were involved in the downsizing of Grafton Correctional Centre.

These matters in my opinion are serious and have direct implications on the closing of Grafton Correctional Centre.

I do not steer away from the fact some of the statements I would make are about individuals and directly involve individuals and their actions.

In saying this I am more than willing to assist if required.

To capture all the events and consider the events at Grafton Correctional Centre for not only the 8 month but a time before that I can confidently state looking back in time Grafton Correctional Centre was destined to fail.

6. Do you feel sufficient efforts were made by Corrective Services NSW to address the staffing issues at Grafton Correctional Centre?

No, I do not feel there were sufficient efforts made by Corrective Services NSW to address the staffing issues at Grafton Correctional Centre.

I am of the view that management did not address the short and long term vacancies there fore the situation was created in which the centre either needed to be locked down on a regular basis or staff would need to be called in to fill the vacancies.

At a stage I know there were over ten vacancies on the centres staffing establishment. This is a large number considering the total custodial staffing level was approximately 75.

As a result of this it was illustrated that there were increased hours of lock ins for inmates and higher costs to facilitate the Correctional Centre.

This is something that could have been avoided with appropriate management of the Grafton Correctional Centre at both a local level and an upper management level.

7. Your submission talks about "before another General Manager was going to be placed in the location". What was your understanding of what was to occur with the General Manager's position and how was that to occur?

Commissioner Woodham stated Regional Superintendent Mark Wilson would be the officer in charge of Grafton Correctional Centre for a period of time to get the centre running smoothly again before General Manager Marilyn Wright was going to be appointed as the substantive General Manager of Grafton Correctional Centre.

I had suggested moving General Manager Jack Pavlovic back to Grafton Correctional Centre as the substantive General Manager. I suggested this considering I know staff had respect for Mr Pavlovic and both he and the staff worked well together when he was temporarily appointed to Grafton Correctional Centre previously. Further to this Mr Pavlovic is from the district and he is held in high esteem within the community. This suggestion was not considered and subsequently Mr Pavlovic was offered and accepted a voluntary redundancy. I referred to this previously.

In closing I am more willing to assist the Select Committee with any aspect of the inquiry.

Thanks
Matt Bindley
Chairperson
Prison Officers Vocational Branch