

**INQUIRY INTO SECURITY CLASSIFICATION AND  
MANAGEMENT OF INMATES SENTENCED TO LIFE  
IMPRISONMENT**

**Name:** Name suppressed

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Partially Confidential

12-10-2015

The Director,  
Standing Committee on Law and Justice  
Parliament House  
Macquarie Street,  
Sydney NSW 2000

RE: Submissions to the Inquiry into the Security  
Classification and Management of Inmates  
Sentenced to Life Imprisonment.

Dear Sir/Madam,

I am an 'A2' maximum security inmate at Goulburn Correctional Centre, serving a life sentence and is subject to a non-release recommendation as defined in clause 1 of Schedule 1 to the Crimes (Sentencing Procedure) Act 1999. I am 48 years old and have been incarcerated for the past 30 years, since I was 18 years old. My submissions below will cover the terms of reference for this inquiry and will reflect from first hand experience what prison life is actually like for an inmate serving a life sentence in a NSW "correctional Centre," or rather, the correct term should be just "Prison." In 1999 I received a recommendation for a 'B' classification (medium security) and shortly it was approved, I was transferred

to Junee C.C., a medium security facility. It is important to note that to achieve a lesser classification an inmate is required to satisfy a number of objectives that include, good general behaviour, willingness to conform, desire for rehabilitation and ~~exact~~ education, and the willingness to contribute by working, etc.

However, once AGAIN, due to media propaganda and for no other reason, I have been stripped of my 'B' Classification after meeting all the requirements and returned back to Goulburn C.C. as an 'A2' maximum security inmate with absolutely no incentives whatever.

- (a) Whether the existing legislation, policies and procedures for ~~determining~~ determining the security classification and custodial management of such inmates are appropriate and consistent with community expectations.

I will not be able to comment accurately on the existing legislation, policies and procedures due to the lack of resources available to me and the limited amount of access time provided at these facilities to allow me to research in such a short time. In relation to community expectations, I have seen and heard over the years how the general community are repeatedly misinformed by what can only be described as a prejudice, hypocritical and hostile media that are only concerned with their ratings and bottom line. This creates an equally hostile community as they are lead to believe the propaganda and the likes of Radio Shock Jock, Ray

Hadley who convinces his listeners that serious offenders are being given lesser classifications and are relocated to what he describes as "Cushy Conditions". It is absolutely false to describe a medium security facility with "cushy conditions." I certainly did not find the conditions at Junee C.C. to be any more cushy or easier or even ~~a~~ more pleasant than the conditions at Goulburn C.C. After planting this seed of hatred and prejudice Hadley then goes on to say, words to the effect, such prisoners should be placed in a dark room, locked up with the key thrown away and forgotten about. This has been the perception that the mainstream media has successfully been selling to the public for as long as I remember. Although the overall conditions don't vary from an "A" maximum and a "B" medium security classification, there is a sense of progress in receiving a 'B' classification that is accompanied by the hope of a possible release date in the future.

Lets consider what Sir Winston Leonard Spencer Churchill (Englands former Prime Minister) once stated, "one can tell the calibre of a society by the way they treat their prisoners." With this in mind, I believe that if the community were not influenced by media propaganda that encourages unfair legislations with cruel and unusual punishment, but rather they were informed truthfully of the exceedingly poor conditions in N.S.W prisons which stems from overcrowding and lack of funds ~~available~~ available,

they would be sympathetic, compassionate and more forgiving.

This is evident when you see the overwhelming support that was given to Sukamarran and Chan, the two Australians arrested in Bali. This community support did not stop with these two but also to others who were housed in a Bali prison, even after a documentary exposed the hypocrisy of the Australian media by comparing a maximum security prison in Bali to a Remand facility in NSW (Metropolitan Remand and Reception Centre - MRRC) and found that the Bali prison treated its prisoners much more humanly and provided so much more incentives for rehabilitation, education, and recreational activities. This cannot be disputed when you see the highly publicised work of Sukamarran and Chan during their ten years in a Bali prison, most of which they spent on death row. We also heard of the (positive influences and inspiration) they had on other inmates which must be credited to the operation of the prison and the opportunities provided to them. Unfortunately, we never hear of inspirational stories coming from any NSW prisons. Furthermore, in the early 2000's representatives from Amnesty International had a tour through Goulburn Maximum Security Prison. They condemned this prison and the treatment of the inmates and suggested that it should be closed down. A few years later, Channel Ten were granted permission to film inside Goulburn C.C. When aired, the reporter, Paul

Mullans referred to this NSW prison as a human zoo. Community expectations should be based on a variety of people with a full insight of how prisons are operating in NSW and not just the opinion of victim support groups and a media who don't care about what is actually happening behind these walls.

- (b) The impact of security classification and custodial management of such inmates on registered victims and the role of registered victims in the classification and management decision making process.
- (c) Communication with registered victims prior to and following a security classification and custodial management decision being made and the form that any communication should take.

I have combined the above terms and references as they both deal with registered victims. Over the years, legislations have been amended to include victims of crime and allow them to have a role during the judicial process, and rightfully so. As part of the sentencing procedure victims are invited to prepare a victim impact statement and then present it to the judge at the sentencing hearing. This is then taken into account when the judge decides a sentence for a prisoner. A custodial sentence is regarded as the most severe sentence a judge can impose on a prisoner within the Australian legal system, that is a punishment by loss of liberty. When a custodial sentence is given, it also provides justice for the victims and should be final to allow them to begin healing. Therefore, registered victims should not be involved in the custodial management decisions or the security classification process, nor should they be

informed of the progress or lack of progress of an inmate. This is firstly for their own best interest as it does not serve any benefit, but rather it would be a constant reminder of their loss even decades later. Furthermore, by involving registered victims in the classification and management decision making process would prejudice such inmates and result in additional and unjust punishment to what is already regarded as a severe punishment being the loss of liberty. This injustice is already occurring and as a result, we have this inquiry. Moreover, if this violation of human rights was to occur in another country, we would be highly critical of that country, yet we fail to acknowledge the frequent violation of human rights within the N.S.W Prison system. I welcome this inquiry in the hope that it will highlight the potential risks and negative impact on the security and operation of the current prison system if you continue to permit registered victims to be involved in the classifications and management decisions of inmates.

- (d) Whether it is appropriate to reclassify and provide inmates sentenced to life imprisonment with access to rehabilitative programs and services if they have little or no prospect of release from custody.
- (e) The impact of inmate security classification and management decisions on the operation of the correctional system.

To reiterate, a custodial sentence is the most severe sentence that can be given, that is a punishment by loss of liberty. The above term of reference (d) suggests that certain prisoners should be denied access to

rehabilitative programs and services. This would be punishment within a punishment that is unjustified and not in line with the Constitution. Some small minority might say, What's the point, they are not getting out anyway. This is not necessarily true, there is always hope. Those of us who conform to the rules and regulations, and wish to be rehabilitated live in the hope of a possible release date, and even the current legislation allows for this possibility, we should not be denied the opportunity. Those who do not conform, the current classification system will not permit them to progress anyway, therefore, they should not have any effect on this inquiry. To deny access to rehabilitative programs and services to the most serious offenders is not only unconstitutional, but could have an adverse impact on the security and the operation of the correctional system. Inmates who have very little to lose who suddenly find themselves with absolutely nothing to lose and with no hope left, can become unpredictable and pose a high risk to other inmates, staff and prison officers, along with the general operation of the correctional centre.

In my view, the N.S.W. Corrective Services is already close to breaking point and is becoming more dangerous and unsustainable each day. The recent media propaganda regarding inmate classifications has only added to the many existing and growing problems within Corrective Services.

I hope my submissions will assist you with your inquiry and thank you for your time and consideration.

Yours Sincerely