

Submission
No 440

**INQUIRY INTO THE PRIVATISATION OF PRISONS AND
PRISON-RELATED SERVICES**

Organisation: Cessnock POVB
Name: Mr Geoff Kelty
Position: Secretary
Date received: 17/03/2009

Dear Members.

My name is Geoff Kelty, I request that I be allowed to enter a late submission to the Inquiry. I apologize for this late request, it is due to comments made before the Inquiry by Commissioner Ron Woodham and information that has only been learnt after the closing date for submissions.

I am a Senior Correctional Officer with almost 20 years experience, I was posted to Cessnock Correctional Centre in 1995. I am a married father of 3 children. My wife is self employed, she will find it extremely difficult to move her business, so I am directly affected by the privatization of Cessnock Correctional Centre.

I take personal exception to comments made before the Inquiry by Mr. Ron Woodham on Monday 23rd February 2009. Mr. Woodham made reference to an incident in which "A new Roster Clerk who was sent to Cessnock to curtail overtime was traumatised after wads of burning newspaper were stuffed into the vents of his office and the room filled with smoke". In 1998 I was elected to the Position of Secretary Cessnock Sub-branch of the POVB a position I remain in to present. In 2001 I was requested by the Governor of Cessnock Correctional Centre Mr. Norman Provost and the Deputy Governor Mr. Robert Maher, to become the Roster Clerk at Cessnock Correctional Centre. They requested this because I was a POVB representative and they wanted everything to be transparent concerning rostering and who better to blame than the union rep if claims of unfair rostering arose. I remain employed as a Roster Clerk at Cessnock today. Basically Mr. Woodhams comments mean that I as the Union Rep would have smoked out my own Rosters office to intimidate myself, I assure the inquiry that I have never done this. In fact I find this whole statement as nothing short of delusional or insane. I can assure the Inquiry that I am more intimidated by the Internal and external auditors employed by the department, that I am answerable to. It is true that I am not the only Roster Clerk at Cessnock as it is a 7 day a week position. The only person to have left his employment at Cessnock Rosters since 2001, did so to take up a position with the Cessnock Court Transport Unit and he is a regular visitor to Cessnock Correctional Centre. I assure you he is not traumatised and he does not shake when reminded of his time in Rosters. There has been no such incident take place at Cessnock since 1995.

Using Mr. Woodhams own figures quoted to the inquiry 2232 incidents of sick leave for the financial year 2007/2008. Four ageing Executive Officers between them took 135 days sick leave. If you take these people out of the equation that leaves 2097 incidents or on average 5.7 a day for the rest of the 164 uniformed staff employed at Cessnock. Not including the non-uniformed staff who may be included in this figure.

Mr. Woodham also stated 2803 incidents of Overtime for 2006/2007, This equates to 7.6 a day. Our allocated budget, funded by Treasury is 600 hours per fortnight or 42.85 hours a day or 5 full shifts with 6 every fourth day. The Attorney Generals Department funds one shift a day over and above our budget, to facilitate the Audio Visual Link. Corrective Services Industries pays Overtime to its Uniformed Overseers nearly daily with 4 to 6 full shifts most weekends and 2 or 3 hours mid week for staff staying back to finish projects. Of course this Overtime is billed to their Customers and outside the budget to staff the gaol. We also have to provide security at Hospitals when inmates are injured or sick. This requires in itself 6 staff per day and this guard duty may last over a month in some cases. I am quite happy to accept Mr. Woodhams figures as this would mean that we are way under budget regarding our overtime. In fact from memory we handed back 160 hours of Budgeted Overtime last Financial Year. If The members can appreciate the history of Cessnock in 1997 Maitland Gaol closed down those staff were transferred to Cessnock making us 22 over staffed so we had reserves on the roster used before overtime, then in 2001 or 2002 the Acute Crisis Management Unit was closed down giving the centre a further 14 reserves. Natural attrition has meant these numbers have been absorbed but it was not overnight. I cannot remember not handing back considerable hours of overtime every financial year during my time as a Roster Clerk. Meaning there has never been any reason to employ a new Roster clerk to curb overtime at Cessnock.

The only approach made by the Department in which they attempted to implement work place reform was made roughly 3 years ago. This proposal would have resulted in the deletion of 39 of our staffing profile but added 250 more inmates. We as a Union asked 32 written questions and gave no time frame to have them answered. These questions were safety and security nature as well as the impact on female staff working conditions. This remains the only formal attempt to implement work place reforms at Cessnock. I hardly think responding with written questions is an intimidating or unreasonable response. These questions have never been answered and that proposal has never been mentioned again which indicates even the Department thought it was not suitable. The only other time work place reform was on the agenda of meetings between the Department and POVB was about a year ago it was informal with no minutes taken. During this meeting Senior Assistant Commissioner Ian McLean handed to the POVB a rough staffing profile of 138 Custodial Officers. Whilst we as a Union are not ready to commit to staff numbers we have worked out a rough staffing profile based on that figure waiting for Mr. Mclean to come back to us as he promised to do so. We are not ready to commit to fixed staff numbers as of yet because these numbers include staffing the new gaol which has not been built yet and we have not been shown any plans for it. The implementation of work place reform at Cessnock has been openly embraced by the POVB. We have been active in altering the Operational Agreement since it

was ratified by Justice Marks in 1997. The staffing profile was changed at the Departments request. The Department requested the deletion of Mid Week Maximum Security Visits in order to establish a new Executive position, a third Search and Escort Officer and a extra officer on weekends in the Reception Room. This was achieved with open negotiation and meaningful dialogue. Later it was the POVBs suggestion to create reserve posts on the Afternoon and Night shifts. These posts utilize funding from the Acute Crisis Management which was closed but remained funded by Treasury. These posts would be used in the first instance if a vacancy occurred on the shift thus reducing overtime. When we have a Hospital Escort occurring we can use these posts to further reduce Overtime. Not only have we embraced work place reform but we have developed ways of reducing Overtime at minimal cost to the department.

I have worked at Cessnock Correctional Centre since 1995 and have no knowledge of any staff member threatening to break someone's legs if they continued explaining work place practices during this time. Training and Staff Development is openly sort and encouraged by the POVB.

It has only come to my attention this week that the funding to administer Tomago Weekend Detention was deleted before last financial year commenced. This is due to the intention of the department to hand over administration of this centre to Community and Offender Services. The necessary Legislation has not been passed as of yet so Cessnock Correctional Centre has to provide this service with no funding. The costs of this would be between \$800,000.00 and \$1,000,000.00. This raises the question of where has this money gone? It is certainly unfair to be held against the Correctional Centre and then have excessive budgets used to justify privatization. Along with a cost of \$2,300,000.00 for Building Depreciation in the 2007/2008 Financial Statement it would suggest to most people that Cessnock is only over budget due to creative accountancy.

At Cessnock Correctional Centre we are not over our Operational Budget; we are not Overtime manipulators or rorters and we are certainly not knuckle dragging thug Trade Unionists. We most certainly do not deserve to be Privatized.

Geoffrey Kelty
Secretary Cessnock POVB
SCO Rosters Cessnock