

**Submission
No 41**

**INQUIRY INTO THE CLOSURE OR DOWNSIZING OF
CORRECTIVE SERVICES NSW FACILITIES**

Organisation: Aboriginal Legal Service (NSW/ACT) Limited

Name: Mr Phil Naden

Date received: 11/11/2012



ALS

Aboriginal Legal Service (NSW/ACT) Limited

ABN: 93 118 431 066

REPLY TO HEAD OFFICE: P O Box 646, SURRY HILLS NSW 2010

TELEPHONE: 02 8303 6699 FACSIMILE: 02 8303 6688

8 November 2012

The Hon Paul Green MLC
Committee Chair
Select Committee on the
Closure or downsizing of Corrective Services NSW Facilities
Legislative Council
Parliament House
Macquarie Street
SYDNEY NSW 2000

E-mail: csclosureinquiry@parliament.nsw.gov.au

Dear Mr Green

Inquiry into the closure or downsizing of Corrective Services NSW facilities

Thank you for your invitation to participate in this Inquiry and to comment on the closure and downsizing of Corrective Services NSW facilities.

Given the acute – and worsening – overrepresentation of Aboriginal people in custody, decisions regarding NSW correctional centres are of vital concern to the Aboriginal Legal Service (NSW/ACT) Limited (ALS). (As you will be aware, although Aboriginal people represent only 2.5% of the State's population, 22.5% of adults in full-time custody in NSW prisons are Aboriginal.)

First, the ALS acknowledges that the closure of some institutions, if in the interests of custodial health and safety, is to be supported. The gaol at Grafton, for example, was no longer suitable; and the transfer of inmates to the centre at Cessnock will provide an improved physical environment for them.

Having said that, the mental health and emotional well-being of inmates must also be regarded as a priority. For Aboriginal people in custody, the importance of maintaining a strong connection with their family and community is vital. Moreover, this strong connection will assist an offender in returning to the community following release and avoid a cycle of reoffending.

It was in recognition of this that the Royal Commission into Aboriginal Deaths in Custody advocated the principle that, wherever possible, an Aboriginal prisoner be placed in an institution as close as possible to their family (Recommendation 168).

The ALS is concerned that the closure of certain centres, while resulting in the location of inmates in physically improved facilities, will have a strong adverse impact on the ability of a large number of families to maintain this critical connection through regular visits. (In northern New South Wales, again as an example, centres at Kempsey and Tamworth – now the most northerly in the State – are not easily accessible to many members of Aboriginal communities in the State's north.)

The ALS would therefore recommend that, in line with a further recommendation of the Royal Commission (Recommendation 169), some financial assistance, towards train or bus fares or a contribution to assist with petrol and accommodation be made available to these family members.

Together with the ALS's Chief Legal Officer, John McKenzie, I would appreciate the opportunity of participating in the forthcoming hearings for this Inquiry and providing the Committee with further oral evidence from the ALS on this, and other, points.

Yours sincerely

Phil Naden
Chief Executive Officer