

INQUIRY INTO THE PRIVATISATION OF PRISONS AND PRISON-RELATED SERVICES

Organisation: Community Against Privatisation
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Position: Spokesperson
Date received: 27/02/2009

CAP

COMMUNITY AGAINST PRIVATISATION

27/2/09

The Director
General Purpose Standing Committee No. 3
Parliament House
Macquarie St
Sydney NSW 2000
Fax: (02) 9230 2981

Dear Sir/Madam

Please find following the submission from Community Against Privatisation (CAP) to the *The privatisation of prisons and prison-related services (Inquiry)*.

CAP is a non-party political community group based in Cessnock.

CAP seeks permission for three of our members to give verbal evidence to the Committee. We request that this opportunity be given in Cessnock where workers, residents and community members who will be affected by privatization could attend.

Yours

Tanya Roe

Spokesperson CAP

SUBMISSION

NSW Parliament

**General Purpose Standing
Committee No. 3**

*Inquiry into the privatisation of prisons and prison-
related services*

FROM

CAP

(COMMUNITY AGAINST PRIVATISATION)

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"A society should be judged not by how it treats it's outstanding citizens but by how it treats it's criminals"

(Fyodor Dostoevesky)

Introduction

Community Against Privatisation (CAP) is a non political community group whose aims are to bring to the attention of the public the issues surrounding the privatisation of Prisons in NSW.

In addition to supporters CAP comprises a Management Committee of 13 people.

Spokesperson for CAP is Tanya Roe, Secretary is J. Field, Treasurer is S.Oakley, Committee Members D. Crossley, C. Tull, S. Oakley, C. Austen, Y. Orr, R. Lemarseny, G. Field, K Fenning. Research & Media Relations are assisted by L. Howell and J Ryan.

CAP believes the impacts of privatizations are felt by i) the prisoners, ii) the prison officers, ii) the community, and iv) the economy of NSW.

CAP asks the NSW Parliament General Purpose Standing Committee No. 3 to consider carefully all of the issues raised in this submission to the *Inquiry into the privatisation of prisons and prison-related services*.

List of Recommendations

Recommendation 1. That NSW Department of Corrective Services report publicly the rate of assaults on Officers and prisoners in the Junee centre prior to awarding any contract for further private management of prisons in NSW.

Recommendation 2. That the NSW Government implements an inquiry into the high number of complaints to the Ombudsman's Office from Junee inmates prior to offering any contract for further private management of NSW prisons.

Recommendation 3. That the NSW Government establish and make public the recidivism rates for prisoners held at Junee compared to public prisons in NSW, prior to issuing any contract for further private management of NSW prisons.

Recommendation 4. That the NSW Government issue a discussion paper on Prison Privatisation for public comment prior to any further progressing of the tenders.

Recommendation 5. That the NSW Government produce a comparative long term costs analysis of private versus public prisons.

Recommendation 6. On the grounds of the ongoing lack of transparency regarding the operation of private prisons the NSW Government reject any attempts by the Department of Corrective Services Commissioner to issue more prison management contracts in NSW.

Recommendation 7. That the NSW Government urgently establish an inquiry into the Junee correctional centre to establish whether drug use among prisoners is at unacceptably high levels.

Recommendation 8. There has not been enough independent research on the performance of private prisons in Australia to risk proceeding with steps to allow further private management of prisons.

Final Recommendation 9. CAP request the NSW Government commit to an open, transparent and fair process, in which all interested residents of NSW, can have access to quality data prior to the conclusion of any debate regarding the use of private contractors to operate prisons in NSW.

Submission

Note: The structure of this submission is based on the Terms of Reference of the Inquiry. Not each single term has been addressed in this submission. Those terms listed in **Bold** in the contents page are the subject of this submission.

1b) The impact of privatisation on the incidence of assault on inmates and staff.

Anecdotal reports to CAP indicate a higher rate of assaults on Staff and a lower degree of staff skills and training at the privatised Junee prison.

The lesser degree of training given to staff at Junee is documented in the 2006/07 Department of Correctional Services Annual Report. Staff at Junee are given 8 weeks training while Department recruits are given 11 weeks training¹.

CAP believes there is a significant risk of higher assault rates for both prisoners and staff at privatized prisons as a consequence of lower levels of staff training, tighter controls and less time provided to resolve prisoner's issues in private prisons.

However establishing from the public record the number of assaults on Staff at Junee does not appear to be easy. While the 07 – 08 NSW Corrective Services Annual Report gives the rates of assault for Departmental operations (see below), no comparative data for the Junee facility is given.

¹ NSW Dep. Of Corrective Services, Annual Report 2006/7, p.120

Prisoner on Officer Assaults

Category	2003/04	2004/05	2005/06	2006/07	2006/07 National Average*	2007/08
Serious	0.00	0.00	0.00	0.01	0.02	0.00
Assaults	1.16	1.13	0.69	0.71	0.60	0.92

Prisoner on Prisoner Assaults

Category	2003/04	2004/05	2005/06	2006/07	2006/07 National Average*	2007/08
Serious	0.76	0.75	0.36	0.49	0.59	0.31
Assaults	13.74	11.87	14.97	13.26	8.47	13.07

* National average as reported in the Report on Government Services 2008 (ROGS). It should be noted that the ROGS does not consider rates of assaults to be comparable across jurisdictions. This figure is provided for indicative purposes only.

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This double standard in reporting needs to be urgently rectified and reflects on the lack of accountability of the private prisons in NSW.

Recommendation 1. That NSW Department of Corrective Services report publicly the rate of assaults on Officers and prisoners in the Junee centre prior to awarding any contract for further private management of prisons in NSW.

Despite the lack of data in NSW the evidence from both overseas and interstate seems to suggest private prisons are more violent.

IN 2002 the British Government was forced to take control of the privatized Ashfield prison after the Howard League for Prison Reform published a report citing low pay, poor training for an unacceptably high level of reported assaults on inmates and poor discipline³.

² NSW DCS Annual Report 2007/8 p.31

³ Independent Newspaper, UK, 21st August 2002

Criminologists suggest a prisoner's interaction with their environment can be a powerful determinant of behavior, including violent behavior;

Prison specific characteristics such as crowding, visiting patterns, involvement in prison programs, and rule enforcement are all related to prison violence. Such deprivations may provide some inmates with an incentive for the exploitation and predation of other inmates as a means of reducing the pain of imprisonment.⁴

It is acknowledged that reported prison violence is only a small fraction of the actual violence level in corrective institutions.⁵

CAP does not have access to the reported assault data for the Junee Centre nor the Cessnock and Parklea Centres. Therefore other indicators of stress and 'deprivation' may be useful in comparing potential assaults in privatized prisons.

A realistic indicator of prisoner stress and tension is the level of complaints made to the Ombudsman's Office. The NSW Ombudsman regularly receives more complaints from the Junee Correctional Centre than any other centre in NSW. The 2008 Ombudsman's Annual report says;

In recent years we have reported that the number of complaints received from Junee Correctional Centre, the only privately operated centre in NSW was significantly higher than from other similar sized centres⁶.

⁴ Tony Butler & Azar Kariminia, Prison violence: Perspectives and epidemiology, NSW Public Health Bulletin Vol17

⁵ Butler & Kariminia, op. cit.

⁶ NSW Ombudsman's Annual Report 2008 p.128

For example in 2006/7 there were 360 complaints made by Junee inmates. Approximately one complaint per 2.1 prisoners. In contrast complaints to the Ombudsman's Office from Cessnock Correctional Centre in 2006/7 totaled 91, giving an approx. rate of one complaint per 4.9 prisoners.

Clearly the prisoners in Junee are more disgruntled and therefore more likely to be provoked into assaults.

A NSW Department of Corrective Services study shows assaults are more than twice as likely to occur amongst maximum security prisoners as they are in minimum security prisoners⁷.

Therefore the potential for more prison violence in private prisons, indicated by the increased rates of complaints to the Ombudsman, will be magnified if maximum security prisoners are also placed in private institutions similar to Junee.

In Victoria the private operator of the Deer Park Women's Prison was stripped it of its contract. The Correctional Services Commissioner highlighted the private gaol as "violent, overcrowded and riddled with drugs."⁸

Australia's first private women's prison was opened in Melbourne with great fanfare. The operator, Corrections Corporation of Australia, said it was aiming to create a "drug-free village environment where women would be gainfully employed in real jobs like catering, carpentry and plumbing."

But the report by the State's Correction Commissioner revealed a very different and depressing

⁷ Corben S. *Assaults and fights in NSW correctional centres*. Sydney: New South Wales Department of Corrective Services, 2002.

⁸ *Deer Park Women's Prison Operator considering Legal Challenge to Government* AM Archive - Wednesday, 4 October, 2000 00:00:00

reality. It found prisoners were regularly “assaulting each other and staff, self-harm and drug abuse were double the level allowed in the contract. And inmates had set fire to the prison 21 times since last year.”

The report said the prison had been locked down 75 times. A lack of staff being the reason on at least half the occasions.

Recommendation 2. That the NSW Government implements an inquiry into the high number of complaints to the Ombudsman’s Office from Junee inmates prior to offering any contract for further private management of NSW prisons.

f) The impact of privatisation on rehabilitation programs, mental health support services and recidivism rates

CAP believes an aspect of the function of prisons is the rehabilitation of prisoners.

Rehabilitation of prisoners serves the purpose of making the community a safer environment by reducing recidivism and improves the well being and dignity of offenders. This is in keeping with the mission statement of the NSW Department of Correctional Services which says;

Manage offenders in a safe, secure and humane manner and reduce risks of re-offending.

A reduced rate of recidivism is more cost effective for the State via reducing the cost of prisoner care and the cost of ongoing crime.

It is therefore of great concern to CAP that a recent study has shown that private prisons may result in increased recidivism. The study used the re-offending rates of a large number of Oklahoma inmates between 1997 and 2001 and found the following....

*.....private prison inmates had a greater hazard of recidivism in all eight models tested, six of which were statistically significant. Finding no empirical support for claims of superior service from private corrections.....*⁹

It is of great concern to CAP that while the NSW Corrections Annual Report identifies the re-offending rate for NSW Prisoners as a whole it does not allow the public to access the recidivism rate for Junee prisoners.

Recommendation 3. That the NSW Government establish and make public the recidivism rates for prisoners held at Junee compared to public prisons in NSW, prior to issuing any contract for further private management of NSW prisons.

2) The comparative economic costs of operating public and private facilities and the impact of privatisation on publicly managed prisons

Prior to the NSW Government inviting tenders for further private management contracts it would have been appropriate to issue a public discussion paper containing a social impact statement, as well as a consideration of the economic factors being considered by the NSW Government. The inability to know precisely what information the Government is considering hampers the community's capacity to make an informed input to this important Government decision. CAP believes the NSW Government should be committed to openness and transparency and therefore make public all information it considers relevant to this issue.

Recommendation 4. That the NSW Government issue a discussion paper on Prison Privatisation for public comment prior to any further progressing of the tenders.

⁹ Spivak, Andrew L. and Susan F. Sharp (2008). "Inmate Recidivism As a Measure of Private Prison Performance." *Crime & Delinquency* Vol. 54 (3) pp.482–508.

Community feedback to CAP from many individuals, family and community stakeholders indicates the issues are not just economic issues but social issues. Behavioural and psychological, values and beliefs have not been considered.

The privatisation of the centre can be seen as a means to justify any abrogation of responsibility by the Government or any diminution of Government resources. The main argument of the NSW Government is perceived inefficiency of labour costs in the operation of prisons. They believe that privatising will reduce the costs of labour. However, extensive research and study into private prisons in the United States casts doubts on the validity of these arguments. Also, there is little evidence that the privatisation of prisons result in significant public savings.

“Higher profits require more inmates. In the US, because private prisons operate on a per diem rate for each bed filled, there is a financial incentive not only to detain more inmates but also to detain them for a longer period of time. It is evidently clear that the profit motive of private prison companies creates a problematic entanglement between interest in profit and public policy. On the other hand, prison privatisation presents serious dilemmas for our State regarding public values such as safety, justice, rehabilitation and legitimacy.”

Friday, 7th November, 2008, 9:06 am | [Cross-Bench Comment](#)

The fundamental question that the NSW Government must answer is ‘What is the total comparative cost to the whole community over time of private prisons?’

In answering this question the NSW Government must examine the total cost to society of any lower rates of education and employment available to privatized prisoners and any subsequent increased rate of recidivism. The long term cost of increased recidivism and increased crime must be calculated against any claimed short term cost saving per prisoner per year.

Recommendation 5. That the NSW Government produce a comparative long term costs analysis of private versus public prisons.

CAP believes there is evidence to show that State run prisons can be more cost effective than private prisons.

In making a written submission to the NSW Public Accounts Committee Inquiry *Value for Money* in a letter dated May 2005, Corrective Services Commissioner Ron Woodham detailed the information given below.

The Mid North Coast Correctional Centre (MNCCC) - a 500 bed remand and reception centre catering for 75 minimum security males and 75 minimum security females in addition to 350 maximum and medium security males – was compared to the Junee centre (which holds 600 medium and 100 minimum security males).

The Department of Corrective Services' submission calculates the cost per minimum security inmate per day are A\$82.31 at Junee but only A\$80.12 at MNCC.

Nevertheless a clear comparative based on assessing like inmates of like classification reveals that the Mid North Coast Correctional Centre is \$2.19 per inmate per day cheaper than Junee Correctional Centre to manage.

It appears to CAP that based on the little information that is available that truly compares apples with apples any assumption that privately run prisons are more cost effective than publicly operated ones is not supported.

Both the GEO Group Australia Pty. Ltd and consultants commissioned by GEO, Knowledge Consulting, submitted papers to the inquiry. However, sections of GEO's submission have not been published due to commercial confidentiality. GEO stated that Junee operates at a cost of A\$22.23 million and argued that, taking account of health costs, "Junee operates at a cost of A\$81.86 per inmate per day while the published New South Wales cost is A\$187.80."

Figures provided by the Auditor General stated that “the cost to the Department [of Corrective Services] was A\$22.7 million which consisted of a management fee of A\$21.5 million payable to GEO Group Australia Pty Ltd and A\$1.2 million in other direct and indirect costs.”

CAP submits that the public of NSW need more information on the claims made both the NSW Government and the private sector regarding the cost of operating modern prisons both in the short and long term. This action is already covered in our recommendations.

3) Accountability mechanisms available in private prisons

Not enough information is available to the public regarding the operation of Junee prison. CAP see this as being against the public interest and likely to be a continuing characteristic of any further private prison management in NSW.

Recommendation 6. On the grounds of the ongoing lack of transparency regarding the operation of private prisons the NSW Government reject any attempts by the Department of Corrective Services Commissioner to issue more prison management contracts in NSW.

What information there is on the performance of Junee is found as a truncated report contained as an Appendix to the NSWDCS Annual Report. The matters raised in these sanitized annual monitoring reports should be enough to convince the NSW Government that a much more rigorous reporting on Junee is required before any diligent decision could be made regarding further contracts.

It is worth noting that the operators of Junee did not receive the full contractual performance fee for ten years because of failures to comply with all operational requirements¹⁰.

¹⁰ NSWDCS Annual Report p. 125

Since 2004/5 nearly every Monitoring report has said some Junee KPI's were below base line performance. Examples include;

- having insufficient staff and being forced into an unscheduled lockdown
- a period in 2007 when 34% of prisoners tested were found to have drugs in their urine samples. This rate was said to reduce to 15.8% later in the year¹¹. In comparison the rate for NSW publicly operated prison reported at 12.1% in 2007/08¹².

It may be that the privately operated Junee centre has produced a situation in which one in three prisoners (34%) failed drug tests whilst incarcerated. This is a rate far higher than any publicly run prison would tolerate.

Recommendation 7. That the NSW Government urgently establish an inquiry into the Junee correctional centre to establish whether drug use among prisoners is at unacceptably high levels.

An example from the 2003/04 Junee Monitor is given below;

- An audit of the case management process found that "out of date screening forms and incorrect procedures were being used during the Reception Induction process." However, a follow up audit found that management had implemented new local procedures to comply with requirements.
- "Monthly case notes as required in the Minimum Standards were not completed. The issue continues to be of concern and is being closely monitored."
- In 2002-03 the monitor found that "there was a failure ... to ensure that the case plans of all inmates were reviewed on a six-monthly basis". In the latest report the monitor

¹¹ NSWDCS Annual Report 2007/08 p.124

¹² NSWDCS Annual Report 2007/08 p. 36

stated: "This is a Key Performance Indicator (KPI) of the Performance Linked Fee (PLF). The GEO Group has both a contractual and legislative obligation to ensure that all inmates' case plans are reviewed every six months. As a result of last year's findings, GEO management introduced a Compliance Monitoring System to assist them in meeting their obligations. However continued monitoring of this area revealed a repeated failure to meet this KPI."

- "The refurbishment of the centre, including but not limited to the gatehouse, kitchen and reception area, and the provision of suitable amenities to the centre remained an area of concern."
- GEO should maintain a KPI of providing 65% of sentenced inmates with employment. "This KPI was based upon an inmate population of 600. When the inmate population was increased to 750 the Department agreed to continue to calculate attainment of the KPI using the inmate population of 600. This has proven to be a difficult benchmark for GEO to reach, particularly with the loss of a major business unit which provided significant employment opportunities. The Department and GEO have been working ... to develop an appropriate counting rule to manage the situation."

It was "not possible to provide a final report on GEO's performance for the purposes of payment of the Performance Linked Fee for 2003-04." However, the report noted that as a result of performance failures in 2002-03, the operator was penalised A\$46,477, some 15% of the company's Performance Linked Fee.¹³

¹³ Junee Correctional Centre 2002/04 Performance Report, Appendix 21, New South Wales Department of Corrective Services Annual Report 2003-04

5) The use and effectiveness of private security guards in perimeter security of prisons

In a bid to save money, the State Government replaced armed prison officers, who were on duty around the clock at the prison gate, with unarmed security guards 12 hours a day.

Prison officers claim that on Wednesday 26th November 2008, minimum security inmate Alex Mihail, 50, escaped by walking through the boom gate at Long Bay Gaol.

This has been disputed by Justice Minister John Hatzistergos, who said Mihail escaped by climbing over the jail's cyclone fence.

The Courier was informed that the after-school-care class at the nearby St Andrew's Primary School was "bunkering down" in the classroom after a member of the public alerted them that Mihail had escaped.

Although the Justice Department and police said the escapee did not pose a high risk to the community, a prison guard, who did not want to be named, said "a convict on the run is more dangerous than a convict in custody".

The guard, who patrolled the gate until the private company took over a month ago, said Mihail had managed to escape a week earlier but a prison guard caught him, took him back into custody and reported the incident.

There was a recent "incident" where staff at a Sydney Correctional Centre were unable to contact a member of the private security company that were contracted to provide external perimeter security. At approximately the same time two off duty correctional officers (including an executive officer) saw a uniformed private security officer carrying a number of plastic shopping bags out of the local grocery store. They recognised this person as a staff member of the private security company and approached him to enquire as to why he was there and not at the gaol. He basically informed them that he had contacted a "control centre"

to inform them that he would be "off site" for about 10 minutes, but still felt it was OK for him to be doing his "shopping". The matter was reported.

Matthew Bindley, state chair of the Prison Officers Vocational Branch, said he was disappointed the Government had put a price on the safety of the community.¹⁴

"It's all good and well for them to say they are on the outer perimeter of the boom gate but that is the front line or last line security either way," he said. "My concern is there will be major incidents because when you take prison officers out of jails and replace them with a private company the inmates already think it's a bit of a joke - they perceive the guards as a weakness."

Any environment that is comprised of a broad cross section of the community faces difficulties in ensuring the safety and security of everyone within that environment. Therefore, safety and security is an issue in relation to the care of offenders and in particular prisoners. Safety and security is also an issue for correctional officers and other prison staff, as well as prison visitors. In a correctional setting such as a prison, the safety and security issues are magnified as a prisoner's freedom has been lawfully restricted to residing within that environment. Prisons have

a duty of care to ensure the security and safety of all prisoners and other individuals within that setting as well as the general community.

Like all members of society, offenders and prisoners require a sense of safety and security in their environment. Once this safety and security is provided for, it is more likely that the treatments and programs assessed as appropriate for that prisoner or offender by the courts, and through the case management framework, will result in positive change in the prisoner or offender's life. This reduces the rates of re-offending and ultimately enhances the safety and security of the general community.

¹⁴ Southern Courier 2/12/08

4) The experience of privatisation of prisons and prison services in other Australian and overseas jurisdictions

Although private prisons tend to house mostly minimum-security inmates, the findings from this report suggest that private prisons operate much the same as public facilities. Private prisons offer only modest cost savings, which are basically a result of moderate reductions in staffing patterns, fringe benefits, and other labour-related costs. No evidence was found to show that the existence of private prisons will have a dramatic effect on how non private prisons operate. Research on the performance of private prisons in Australia is very limited. One study of prisons in Australia found that in the period 1990-99, public and private prisons had similar rates of death from all causes and from suicide specifically. In NSW, there has been no comprehensive study comparing the performance of Junee prison with public prisons in this state or assessing whether privatisation has impacted on the prison system. However, a four-year review of Junee by the NSW Department of Corrective Services and a number of reports from various statutory monitors give some insight into the private operator's performance.

An empirical study of one private prison in Queensland concluded that the private sector failed to deliver on the promises of both internal and external reform. This was explained on the basis that properly regulatory structures had not been put in place. In Victoria, an independent investigation into private prisons found that the introduction of the private sector had mixed results and made recommendations to promote greater cohesiveness across the system. The Metropolitan Women's prison in Victoria is the only private prison in Australia to have been reclaimed by the state due to deficiencies. More empirical studies have been carried out in the UK and the US. A 2003 report by the UK National Audit Office concluded that private prisons in the UK had both encouraging and disappointing results. In the US, a 1998 report commissioned by the National Institute of Corrections, and a 2001 report by the Bureau of Justice Assistance (BJS), reviewed a number of studies and suggested that there was no definitive research evidence to support the conclusion that privately operated facilities were significantly cheaper or better in quality. The BJS report also published the results of survey of state prison

privatisation, which came to a similar view. Private prison supporters have cited other recent studies suggesting otherwise.

Research on the performance of private prisons in Australia is very limited. One study of prisons in Australia found that in the period 1990-99, public and private prisons had similar rates of death from all causes and from suicide specifically. In NSW, there has been no comprehensive study comparing the performance of Junee prison with public prisons in this state or assessing whether privatisation has impacted on the prison system. However, a four-year review of Junee by the NSW Department of Corrective Services and a number of reports from various statutory monitors give some insight into the private operator's performance.

Recommendation 8. There has not been enough independent research on the performance of private prisons in Australia to risk proceeding with steps to allow further private management of prisons.

7. Any other relevant matter.

In addition to the lower level of care which will be afforded to prisoners via privatization the Inquiry should also be aware that the proposed privatization of Cessnock Gaol will cause great disruption and grief in the local community.

CAP has collected over 3000 signatures on a petition which opposes the privatization of Cessnock and Parklea Gaols.

Despite assurances of no job losses from the NSWDCS, the reduced staffing at Cessnock resulting from private management will mean current employees who wish to remain in the industry - but do not want to take a lower paid job with the successful tenderer – will have to transfer away from the area.

Privatisation will result in less jobs existing in the Cessnock LGA and a resulting negative impact on local businesses and potentially changed teacher numbers in some schools.

CAP has attached as an appendix statements from local individuals who will be affected.

Conclusion

CAP is opposed to further privatisation of prisons in NSW.

CAP believes if the proposal to privatise more prisons in NSW is given the green light by the NSW Government there is a significant risk for increased;

Violence,

Recidivism,

Cost to the taxpayer,

Family trauma.

Final Recommendation 9: CAP request the NSW Government commit to an open, transparent and fair process, in which all interested residents of NSW can have access to quality data prior to the conclusion of any debate regarding the use of private contractors to operate prisons in NSW.

Appendix 1

Community comments

Privatisation of Cessnock Prison has already affected our family. We have been under so much stress. Our son & daughter are 16yrs & 14yrs. Mitchell is in Yr 12 & if we have to leave Cessnock he will have to stay so it will be splitting our family up. We have been here all our live so it will be a big shock for us to move.

Our daughter is in Yr 9. Having to leave all her friends has also caused her stress.

I will have to take my mother as well as she is too old to stay by herself & she has lived in Cessnock her entire life.

To Citizens affected by Privatisation Support Group

I am employed by Cessnock Correctional Centre permanent, full time. My family, relatives, grandchildren, great grandchild and friends, Church and community ties are all affected because of the impending privatisation at Cessnock Correctional Centre. I am also involved in the Pastoral Care Ministry in the local community through the Salvation Army Church at Cessnock.

The local Community are all affected as the staff at this Centre conduct their business within the local area of Cessnock and surrounds.

The staff have been informed that we have the choice of relocating to another gaol, resign from the public service altogether and win a job with the private contractors or apply for a voluntary redundancy.

I have been employed in this Department for twenty six years and now find that I will not be remunerated for all the years I have been employed for, although employees of State Rail have been remunerated appropriately with their full entitlement for continuous years of service within the past six months. Why is that the Department of Corrective Services have stated that there is a cut off point for employees being remunerated for continuous years of service of up to thirteen years only. Why are staff within the Department of Corrective Services being discriminated against? State Rail and Department of Corrective Services are both government departments! Why are the staff being treated differently? The Superannuation Financial Services have informed staff at this Centre that we are entitled to full entitlements of voluntary redundancy for continuous years of service i.e. three weeks for every continuous year of service plus thirteen weeks pay and some staff have been employed at this Centre for thirty years and more.

I have to move, find another place to rent at a price I can afford within the Hunter Valley and then find and win a job in this area. I do not have a home of my own and currently live in the quarters at Cessnock Correctional Centre. I cannot afford to commute to Sydney on my wages and I get very fatigued and cannot allow myself get too tired, I cannot afford \$375 a week for rent in Sydney on my wages and do not wish to isolate myself from my friends and family.

I do not appreciate finding out about the privatisation of Cessnock Correctional Centre via the media whilst on holidays, extremely insensitive!

The staff at Cessnock Correctional Centre give 110% to provide excellent standards of service and professionalism at this Centre and do their best to service the community and external stakeholders and I am witness to that. The drug and alcohol, welfare, psychology, education, records, accounts, classification, store, purchasing, chaplaincy services and correctional officers' excel at providing education, advocacy and support to both inmates and staff at this Centre and are highly professional and esteemed by both inmates, community, colleagues and external stakeholders' alike.

The Management of the Department have not been completely honest and up front and transparent which is making the whole situation of privatisation extremely difficult to say the least, and that is being polite.

I am also aware that public correctional officers' staff have been called in on occasions to manage inmates at the private correctional facility in Junee as private correctional staff could not handle the situation.

Inmates require welfare, education, chaplaincy, psychology, drug and alcohol workers which I have been made aware are extremely limited services provided by private correctional centres am am concerned for the rehabilitation of the inmates.

I am currently studying whilst this process is taking place and impending privatisation of my job and colleagues is detrimental and not at all appreciated

Date:- 28th February 2009

To:- Whom It May Concern,

Re:- Privatisation of Cessnock Correctional Centre

I retired from working as an Alcohol & Other Drug Worker at Cessnock Correctional Centre after almost 17 years of service there. Due to health reasons, I terminated my employment from a position that I loved doing. I feel that I gave 110% effort (as do most other staff) in my job counselling and facilitating AOD programs there.

I have received certificates of appreciation for my work there. This would not have been possible for me to achieve this if it wasn't for the co-operation and assistance of both custodial and non-custodial staff who would always act in a very professional manner.

I was involved in running and supervising such programs as The Phoenix AOD Rehabilitation program, Relapse Prevention, Harm Minimisation, Anger Management, Health Awareness programs, Alcoholics Anonymous, Narcotics Anonymous, Gamblers Anonymous just to name a few.

Many Inmates coming to our centre have indicated to me that there was limited access to these programs at other centres, particularly in Remand Centres and at the Private Prison at Junee. My biggest concern is that many of these programs and others being conducted there may collapse if the centre was privatised due to their restricted budgets.

Due to my involvement with self-help programs in the community, I see many former Inmates who have continued on with programs as a follow-up to what they have been doing in gaol. Many of these people are maintaining their recovery and are also working or studying. This follow-up has been organised with the assistance of staff at Cessnock Correctional Centre.

Local Businesses will definitely suffer in both trade & employment. There will be a decrease in jobs. It's a bloody disgrace that this can happen with no consultation with community members. Since the announcement in November every person that has walked into my shop has stated this should not happen –

Government should be responsible for all essential services & this includes the prisons. We have voted these people in so in affect they are answerable to us. The Community of Cessnock opposes the privatisation of the NSW prisons. The Government should be listening to the voters. This will definitely affect the local community –

Privatisation will not be good for the inmates, the prison officers, the Community or local Businesses. At least 200 staff members currently shop locally. A lot of these people will have to relocate therefore taking business away from the community. Drop in business will cause job losses. –

When something is privatised motive is profit so cost cutting will occur. Staffing will be less at a private prison. Security should never be financially driven. I am concerned about community safety –

I am appalled that a decision can be made with no consultation within the local community sector. Privatisation is about profit for shareholders so the successful tenderer will be cost cutting beginning with staff numbers. It is morally wrong to benefit from the misery of others. This move also opposes the ALP policy on Prison Management. –

It is affecting people in the community already. Families have started to leave. If people have to relocate & sell their properties & not be able to buy at the same time this may affect them financially. –

I am opposed to this decision to privatise our prisons. Prisons are a Government responsibility & should never be put in the hands of private corporations. My business will definitely be affected if this goes ahead not only in my sales but my staffing as well. Apart from this my social network has already been & will be affected. The Prison Officers are a big part of the Cessnock LGA partaking in various other roles including sporting & volunteer work. By privatising staff numbers will be dramatically affected & therefore these other roles will also be affected.

I am against privatisation of prisons. This is a responsibility of the state & therefore should remain so. I can see no benefit whatsoever to families, businesses & the community. Everyone will suffer.

This will affect our whole community. This is bad for business, bad for jobs & bad for families. I also am concerned about safety.

We have daily purchases & fortnightly buyups from the prison as well as a lot of the staff purchase from us. This runs into \$1000's of dollars. The affect on our business will be huge. Once business decreases staffing hrs will also be decreased & more than likely there will be job losses. Our personal opinion is that Prisons are an essential service which should therefore be a Government responsibility.

Since the announcement last November my business has been & will continue to be affected. Staff from the local Correctional centre had placed orders which they have since cancelled because of the uncertainty of where they will be. Having families relocate or take redundancies will of course affect every local business & neither forgetting the affect on families. I am amazed that in this economic climate we have the Federal Govt releasing a stimulus package to retain jobs & a State Government proposing privatisation which ultimately will decrease jobs. This is just a way of passing the buck. Instead of privatising replace current Management with people that know how to manage.

Privatisation will definitely affect our business community. Business will decrease which will of course affect current employment. This is wrong.

There will be both a direct & indirect affect on my business if privatisation occurs. I do not understand why the Government would do this. I have been told that some staff from the prison have already left to relocate. Either current or potential customers that I have lost because of this proposal.

My family has owned & operated our business in Cessnock since 1930. We are concerned about the effect privatising Cessnock Correctional Centre will have on the whole community. Staff and family members purchase regularly from our store and we have employed a staff member's son in a part-time job whilst he is studying for nearly 5 years. We need our community to shop locally and live locally to support this great town.

Cessnock Correctional Centre purchases inmates buy-ups at my store to the value of \$4000 a month (up to \$50000 per year). It will have a massive effect on my business if the gaol no longer shops locally. I employ local people and would have to reduce my staff levels because of a loss in trade. Everyone in the community will be affected if a private overseas company takes over the gaol. Many of my customers are prison officers, they send their children to our schools, support our sporting & volunteer groups & shop locally. If many of them have to move

it will damage our community and its economy. I have been in business in Cessnock for 38 years & my husband's family since 1928 and I do not support the privatisation of the gaol in Cessnock.

My name is Tanya Roe and I am the wife of a prison officer at Cessnock Correctional Centre. I am Cessnock born and bred and love and support the community I live in. My husband and I have chosen to raise our family here and live a very happy life. All of our extended family and friends live in Cessnock, I work in Cessnock and our three children attend school and one has a part-time job in Cessnock. My family supports our local Public school by sending our children there and through our P & C Association memberships. We support our local sporting and social clubs, have bought our family home here and shop locally to benefit our local economy.

My husband has worked for Corrective Services for almost 25 years and has served at the centre in Cessnock for almost 24 of those years. He has progressed through the ranks through sheer hard work and dedication to his job. He has graduated from university studying Criminal Justice by correspondence whilst working full-time. He is an honest & hardworking man who is now feeling the pressure imposed on him by the announcement that the State Government is going to privatise Cessnock Correctional Centre.

That announcement has changed our lives forever and the lives of many of our friends who work at the centre either as officers, in administration, education, welfare, in transport and court escorts. Cessnock Correctional Centre is not just a place where my husband goes to work to earn a living it is a community made up of a family of friends who work together, socialise together and support each other whilst performing a job which is rewarding but at times very stressful.

I have seen many officers and their wives, husbands, partners, children, extended family members and friends brought to tears in recent times as they struggle with the massive changes to their lives. There is enormous pressure to continue working with the same

dedication and high standards when management is hounding you to place your preferences indicating what you want to do when the Cessnock centre is closed. The options offered are not inviting. Record three centres you will work at in preference order if you want to stay with the Department, choose to go with a private company you are unable to find any information about in regards to employment conditions or consider a redundancy package which will hardly support yourself let alone a family. This decision is not one that any family can rush but officers are being forced to make a decision with very little support from upper management and their HR Department.

I have visited the shop front that HR Department set up to help ease the stress and uncertainty of my families decision making only to be advised that they had no answers to my well prepared questions. They replied to some of them by email a few weeks later only after prompting by my husband and I am still waiting, since last November to hear from them in regards to others. The HR person assured me that my husband and I would be able to visit any centres and their communities that he had indicated as a preference in February, after the Xmas holiday period was over and everyone was back on deck. I was advised he would be given detached duty and transport would be organised. Early December he was advised he was going to Parramatta gaol, his last & desperate third centre preference to work when the centre closed and that was that. No visiting centres, no consultation with him or his family, no nothing, just stress! Fortunately, after some considerable negotiating, massive amounts of stress to our whole family, sleepless nights and a visit to EAP (Employee Assistance Program), the Department of Corrective Services agreed that my husband who has been an exemplary employee for 25 years could be employed as an excess staff member at the Regional Office in Muswellbrook. Why put someone and their family through all this when his first preference was Muswellbrook and he would be excess wherever he was placed?

What a nightmare and complete mess this whole process has been. Staff should be dealt with respectfully and consideration should be given to the amount of stress these hardworking employees who do a difficult job are under. Playing mind games, giving misinformation and feeling alienated from the Department you have worked so hard for is an indication to my husband, me and my family of how uncertain our future lives will be.

In regards to a sense of community and the feeling of security in the workplace, my husband has had one serious assault on him whilst working at the Cessnock centre. The only thing that was assuring to him and my whole family was the fact that we knew that when the assault by

an inmate on him occurred, (which saw him unconscious and transported to hospital by an ambulance), the immediate support from a highly trained, professional group of officers was there on the spot, in large numbers to make sure not only he was safe but the remaining inmate population was safe and secure.

Cessnock Correctional Centre and its employees are a much respected part of the Cessnock community. Our community, some of who live in the same street as the gaol, feels safe and secure in their homes at night knowing that the centre is well staffed with dedicated and exceptionally trained officers. How do I know this? I have walked the streets in the past months since the announcement, handing out leaflets informing the community that the State Government headed by Nathan Rees is going to privatise the gaol and asking them to sign petitions stating they are against the privatisation of a public owned and well operated gaol. The community has expressed grave concerns over who will be contracted to run the gaol. They have heard and read horror stories in regards to the employment of inexperienced staff, low staffing levels and some, who have family or friends incarcerated are concerned about the treatment of inmates by privately owned and operated gaols such as Junee in NSW. It is well published that Junee has had more complaints by inmates and their families to the Ombudsman in regards to their treatment and conditions at the centre than any other Department operated gaol.

Cessnock City Council & local businesses are concerned that the local economy will suffer tremendously by the forced departure of many officers and their families from our community. In these uncertain financial times both worldwide and in Australia they have every right to be concerned. Many officers will be forced to sell their homes, if they can sell them, and probably at a loss. Their children will leave our local Public Schools and this will affect teacher staffing levels and possibly close some of our smaller schools. The Greater City of Cessnock is part of a community of smaller country towns and school and business closures would occur if just a few families were forced to leave and work throughout the State of NSW.

We must not forget to mention the number of officers who form part of our community volunteer groups, such as the bushfire brigades, P & C Associations in our Public Schools, coaching for our kid's sporting teams, members of our social clubs and dedicated supporters of our charity and community groups.

A group of concerned community members, including myself, formed a group called C.A.P. (Community Against Privatisation) and we have been committed to supporting the family, friends and the community of the employees of Cessnock Corrective Centre since the announcement made by the State Labor Government. We meet once a week to plan and

implement ideas on how we can stop the decision made to privatise Cessnock Correctional Centre, Parklea Correctional Centre and other prison related services which include inmate transport & court escorts. The group has delivered leaflets & petitions to the local community and has received thousands of signatures in support of non-privatisation. We have completed the submission for the inquiry you are all part of and are in the process of organising a community meeting with guest speakers who are able to inform the community of Cessnock and the surrounds of how the closure of Cessnock Correctional Centre as a government owned facility will affect them and the community as a whole.

I also would like this committee to question why a social impact study was not undertaken by the State Labor Government before the decision to privatise a government operated facility in Cessnock. I have sat in on local council meetings and have applauded the request of our local councillors and mayor to ask the politicians involved, State Premier, Minister and Corrective Services Commissioner, to visit Cessnock and acknowledge us and our concerns. Unfortunately none of these public representatives have paid our community of Cessnock and the employees of Cessnock Corrective Centre the respect we deserve and agreed to this.

We all must remember that at the end of the day when my husband, who is a highly trained, dedicated & hard working employee of a State Government operated gaol, turns the key to lock the cell on an inmate who is incarcerated, he is not only protecting the community at large, but is, through his duty of care, being responsible for an inmate who will one day be part of our community again. The inmates are human beings who need to be treated well, educated well and given a sense of worth through gaining skills and employment whilst incarcerated. We as a society have that responsibility and no privately owned, overseas company should profit from this or our local community.

Yours sincerely

11th February 2009