

Submission
No 15

**INQUIRY INTO ISSUES RELATING TO THE OPERATIONS
AND MANAGEMENT OF THE DEPARTMENT OF
CORRECTIVE SERVICES**

Name: Mr David Turbit

Telephone:

Date Received: 30/01/2006

Subject:

Summary

Legislative Council

General Purpose Standing Committee
Number 3

from David Turbit,

My submission relates to Term 2, the management of high risk prisoners, in connection with all points, except b.

My submission factually describes my experience as a person held illegally in MRRC Silverwater for almost 4 full weeks.

Please refer to attachment A, which is a letter from Commissioner Ron Woodham, dated 7 November 2005, which refers to an inquiry into this matter.

You will note that Commissioner Woodham admits in this letter that “the report does identify that administrative failures within the Periodic Detention Administration Branch and Procedural weaknesses at Parramatta Periodic Detention Centre contributed to your arrest on warrant”.

I consider that I was a high risk prisoner for several reasons. Firstly I suffer from anxiety, and my illegal incarceration had the potential to affect my mental and physical health in an extremely negative way. I became so depressed I made a suicide attempt, and was saved only by the action of my cellmate. A second reason that I consider myself to have been a high risk prisoner is that as a law-abiding citizen I have often assisted the police, and was actually required to attend court as a police witness whilst incarcerated. I was placed in protection, and had any of the other prisoners known of the extent of my dealings with the police my life would have been in danger. This is especially so as several of the warders had no hesitation in calling me a “dobber” in front of other prisoners.

My first comment is to point C – the objectivity of the classification system. On first being admitted I was given a green pamphlet of prisoner information, which stated that I could expect to be classified in 2-3 days. On questioning this I was told by prison officers, welfare officers and medical staff to throw the pamphlet away. For the entire time that I was in MRRC I was not classified. This meant that I spent the entire

time in maximum security, which only served to exacerbate my health problems and delay my release as I had very limited time out of my cell in which to make phone calls. I do not know the facts behind this and so can only speculate. I was initially told (in the first week) that I would not be classified because all the staff responsible for prisoner classification were on a conference. In my opinion there are two possible explanations for me being left unclassified. The first one is that I was being punished. I consider this the most likely as I was quite clearly considered a “troublesome” prisoner, since I took every opportunity to complain about my situation, and tried to enlist the help of every person in authority that I dealt with. This includes parole officers, prison officers, doctors, nurses, psychologists, psychiatrists, welfare officers and teachers. While some of these staff clearly understood what I was saying and sympathised with me, it was apparent that those who had the power to do something about my situation were determined to keep me incarcerated. The other possible reason for me never being classified is that one of the people that had been made aware of my position (unfortunately I have no idea who this person could be) had actually accessed my computer record and seen that I had been telling the truth. My computerised record (refer to attachment B) clearly shows that there was no location that would have accepted me for Periodic Detention, as my status had not changed since my Periodic Detention was revoked*in order for my assessment for Home Detention. In my view it is entirely possible that it was decided that it would have been a waste of time to classify me as my release must have been imminent.

My next comments relate to point d. I refer here to my diaries , attachment C. In relation to over-crowding I can say that it seemed to be a permanent feature of the entire prison. I was held in cells designed for one person only, with one other, and occasionally two other prisoners. When there were three of us in the cell the third

person had to lie with his head next to the toilet bowl. If he had tried to reverse this position he would have had his head next to the door, which opened inwards. As this was clearly dangerous there was no choice for the third person, but to sleep with his head next to the toilet bowl. In my diaries I make many mentions of the laziness of the prison-officers. While many claims are no doubt made that certain situations have arisen due to staff shortages I feel that if the prison officers put down their newspapers and were only allowed to drink coffee in designated break times these situations would not arise. As an example, 31 May & 3 June when I asked all day about medical treatment, but got nowhere. Also on 5 June I didn't get lunch, due to the incompetence of prison officers. There was also one occasion, which I did not diarise where I did not get breakfast, as there was not enough to go around.

My final comments are regarding point A, access and contact. Although my partner Marie told me in many telephone calls that she had booked visits for 1.30pm, my visits never began on time. Once again I refer to my diaries, particularly 11 June, where the visit began 45 minutes late. Although I questioned this, I was never given any explanation as to why this happened. In my opinion it was simply the prison officers trying to make my life as difficult as possible.