

Submission  
No 187

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

Name: Name suppressed  
Date received: 27/02/2009

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Partially Confidential

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

## **Terms of reference point 4.**

### **Future plans to privatise prisons or prison services in NSW, including the Court Escort Security Unit.**

Some time ago the Department of Corrective Services (DCS) undertook an agreement with NSW Police to manage the cells in 24 hour police stations along with the escorts of prisoners to and from court and gaols. The reasoning behind this was that it would ease the burden on police and thereby release more police for general duties rather than spending their time on escorts and/or as custody managers.

From discussion with police in a number of country Local Area Commands (LAC) this procedure appears to be working exceedingly well, with both police and DCS staff happy with the arrangement. In most country areas DCS work out of the police stations, usually sharing resources with police such as charge room, staff rooms, vehicle docks, locker rooms etc. One reason this arrangement works is because police have confidence in the DCS staff, who, like the police, are sworn officers.

As well as managing the inmates in the cells the DCS Court Escort Security Unit (CESU) receive prisoners from police throughout the day and night on Form 7s and transport all adult prisoners to and from court and gaol as well as supervising all court appearances. With the new Audio Video Link (AVL) system in place most prisoners attending court will be there for either a hearing, a trial or seeking bail.

There has been much media frenzy about CESU staff on overtime and "Pizza" rorts. What people do not hear is the truth of the matter. The job done by CESU staff is dangerous with many officers injured in the course of their duty and in preventing escapes. Yes there is overtime, however all this overtime is requested and approved by executive offices. Some overtime is **forced** overtime which officers must do. Do give the committee an idea of what work is involved I have outlined an average weekday in a country CESU location.

One example of a day in the life of a country CESU is as follows.

- Escort officers for Court B arrive at 0645 to start work at 0700 hours.
- Inmates are loaded for Court B at a destination two hours drive away.
- Arrive at court 0915 unload inmates and give them a hot beverage.
- Organise solicitors etc for inmates.
- 10.00 - receive 4 x Form 7s from the police.
- Search new prisoners and dress them in gaol clothes
- Do lodgement on all new prisoners, complete paperwork, computer work, property is recorded etc.
- Whilst this is happening other CESU staff are liaising with solicitors, police and court staff.

- Court ring asking for inmate XXX to court. Two officers escort this inmate to court and stay with him/her.
- This continues until 11.30 when tea break is called. Officers work through tea break moving inmates in and out of legal boxes where the inmate is seeing legal advisor.
- 11.50 – Court is back in session until 1300 hours.
- **1300 hours- This is the time all officers would need to leave the location to ensure no overtime is accrued. Officers forced to carry on working whether they like it or not.**
- 1300 - Lunch break. DCS officer unable to take lunch break but instead feed inmates and move inmates in and out of legal boxes as solicitors use the lunch break to see inmates.
- 1400-1600 afternoon court session. Inmates taken back and forth to court as required. Some inmates may be granted bail. Officers then organise paperwork and notifications before releasing inmate.
- 1600- ? Most days court is still going at 1600 hours
- 1615 – There is a medical emergency and two officer stay with inmate whilst third officer rings ambulance and contacts base. Ambulance treat inmate and say he should be OK to travel two hours back to base CESU where he will need medication.
- 1700 - After receiving warrants from court the inmates are loaded onto the truck for return journey.
- 1900 - Officers arrive with inmates at CESU. Unload and cease duty.
- **These officers have accrued 4 hours overtime. This overtime is forced overtime and required most days due to the nature of the job. It is not a rort.** In fact the 8 hour jobs in the cells at base are fought over as these are the only shifts where officers know what time they will be going home.
- **This is a typical day.** Some days are even longer when required to do a four hour trip to a Sydney or other gaol after already working 12 hours at court. Most officers are so sick of overtime they try and get out of it any way they can. Far from rorting overtime they are shirking it.

## **The use of private security guards in CESUs**

If all the CESUs closed down tomorrow to be taken over by private security guards there will be a serious reduction in the quality of service to the courts, police and inmates.

Firstly the running of many security firms is questionable, with many offering “cash in hand” payments to staff, poor or no OHS practice and very little training.

Where will such a firm find 1,000 guards at short notice to run the CESU?

What sort of people will apply? Sacked CESU staff are unlikely to apply to do the job and security staff do not have the skills. Why would any one want to work in such a dangerous and high risk environment, for the minimum wage?

With the new Federal Government Islander Work Visa, it is likely that a lot of the staff will be sourced from the Islands or from NZ. That then raises the question of

security. Whilst these people might not have a criminal record in NSW there are few checks available to a security firm to enquire of overseas records. Furthermore, police do not want security guards working in the police station so there will be huge costs in extra infrastructure to house the guards.

CESU staff are well trained in security and management of inmates. All DCS officers receive three months training at the Academy before being sworn in as officers. Most spend some time working in the gaols before transferring to the CESU.

Security guards receive a few days training, with a few extra days training for firearms if they are to carry one. With guards poorly trained and then only in the protection of property and assets, how will they manage dangerous inmates and prevent escapes. Property and assets do not escape. Inmates will know this and at every opportunity take advantage of the inexperienced guards.

### **Treatment of CESU staff**

The DCS has had senior management warning CESU staff that they will be sent to work in the gaols when the CESUs are taken over by the private security guards. That will require some offers to travel over 150 kilometres each way to work. That in itself is an OHS issue and unsustainable.

With staff having moved to remote country locations, settled in with their families and with children in schools, to just be uprooted and sent to a gaol to work, especially when that gaol could be closed at any time, is just too much to ask. Many officers will lose their homes, have marriage break downs and even end in suicide due to the stress of all the rumours and threats from management.

As there is no plan publicly available as to how the private firm will run the CESU, it can be assumed that these firms will only do the transport with the court escorts and management of Form 7s handed back to police. This would put a serious drain on police resources, which, like DCS, are already very tight. The removal of the CESUs will also have a dramatic effect on the efficient running of the courts. Police will not have the time or resources to stay in the cells at court with the prisoners, and will have to be taken off other police duties to attend the court.

#### Treatment of CESU staff

CESU staff have not been given any options to go over to the Way Forward in order to keep their jobs. Instead the DCS has had senior management going around warning CESU staff that they will be sent to work in the gaols when the CESUs are taken over by the private security guards. That will require some offers to travel over 150 kilometres or more each way to work. That in itself is an OHS issue and unsustainable.

With staff having moved to remote country locations, settled in with their families and with children in schools, to just be uprooted and sent to a gaol to work, especially when that gaol could be closed at any time, is just too much to ask. Many officers will lose their homes, have marriage break downs and even end in suicide due to the stress of all the rumours and threats from management.

Many officers will probably end up on social security rather than move from established homes in a community they know.

No money will be saved. The companies running the private prisons are mostly American, so they will need to turn a profit.