

Submission  
No 186

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

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The Director  
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Dear Committee Secretariat,

This submission is made in respect for the upcoming inquiry concerning the privatisation of the New South Wales correctional system. All the dialogue thus far has been concerned around worker's rights, security, efficiency, and cost reduction for the State. Whilst I consider that these are very important factors to consider, no dialogue has even mentioned the 'prison industrial complex'.

Firstly, before considering the prison industrial complex, it is necessary to look how crime has been racialised in Australia. This has led to people unjustifiably believing that people of colour, and more particular Indigenous peoples will transcend from the juvenile stage, to the prison system. Crime has been racialised in Australia for some years now, and through the racial profiling methods used by the police, and more publicly by the media, this creates a social hysteria that people of colour are criminals, and tough new laws are needed to be enacted to put these 'evil people' away. Thus, the racialisation of crime has given past governments, including the present the power to morally justify increased penalties for offenders, which lead to severe penalties, which lead to prison sentences and/or longer sentences being imposed.

I do not dispute that in theory that the laws enacted are to apply to the community in an equal manner, however, in practice this is not the case. NSW Bureau of Crime Statistics reports that the prison population is increasing each year. The prison population is demographically made up predominantly of people of colour which illustrates the serious impact that the "tough on law and order" legislation has had on communities. It is worthy to mention that only recently, a senior member of the NSW Police Force made disparaging comments around Middle Eastern Australians being more successful in the areas of organised crime.

The whole problem of the racialisation of crime can be illustrated using just one example, that of the incarceration rate of the Indigenous males. It is absurd that Indigenous peoples make up approximately 2-2.5% of the total Australian population, yet 20.9% of the prison population in New South Wales is made up by Indigenous males. If you look at the incarceration rate of Indigenous females, this rate is approximately 10% higher.

I am well aware that the committee members will have a certain understanding of Indigenous history in Australia. In the not so distance past, i.e. my fathers era it was common for Indigenous children to be taken from their kin, Indigenous peoples had their wages stolen by the government of the time, as it was wrongly considered that Indigenous people could not handle their money. Currently, the Government is in negotiating compensation for the stolen wages. It is my respectful opinion that the stolen wages constitute a certain form of slavery, as Indigenous peoples worked for minimum or no wage. By privatising the prison system, the New South Wales

Government will be both supporting the enslavement of people of colour and nurturing the big corporations to further increase their profits through the enslavement of people of colour.

Angela Davis, a longstanding professor in the History of Consciousness program at the University of California, Santa Cruz campus has advocated for longer than 30 years about the privatisation of the prison system in the United States of America.

Slavery has been legalised in the United States of America through the 13<sup>th</sup> Amendment which was enacted after the civil war. Prior to that, slavery was illegal, but practiced predominantly in the southern states. The 13<sup>th</sup> amendment reads "*Neither slavery nor involuntary servitude, except for punishment for a crime whereof a party shall have been duly convicted, shall exist in the United States*". Thus, this led to the Jim Crow laws to be enacted in the Southern states, to enable the decreed slaves to once again be enslaved through the prison system. In the United States, the overcrowding of the States prisons has predominantly been caused by the draconian drug laws enacted, which means that most of the prison population are non-violent drug abusers.

It is argued that the prison industrial complex is motivated by racism and pursuit of profit rather than solving the problem of the recidivism and crime.

The prison industrial complex thus far, has netted major corporations such as Corrections Corporation (CCA) and Wackenhut billions of dollars per year in revenue for the continued oppression and enslavement of people of colour. Learning from the 'American Example', privatisation of prisons doesn't work.

I note that GEO Group Inc who currently runs Junee is making higher profits every year. How can this be the case given the current financial market. It is my argument it is through the exploitation of the prisoners, who are young offenders or have a minimum classification. Do we really want to rehabilitate our young people who make mistakes or subject them to inhumane conditions.

There are many examples in America concerning CCA and Wackenhut, who I note, currently run women's prisons in Victoria and Queensland, where the prisons are overcrowded, inmates have escaped, and they are actually in worse conditions than the government owned prisons.

Further, exploitation of people of colour occurs through bed hunters going through the County prisons looking to find inmates to take a bed in the privately run prisons. Is this a repetition of people getting paid for finding slaves and transporting them to the private prisons to work off their debt?

Prison products are big business, it is well known that prisons in the United States make a brand of jeans called "prison blues, made on the inside, for the outside". It is sickening to think that anyone's, brother, sister, mother, father, or relative could be subjected to inhumane treatment.

I note that many corporate prisons advertise in their prospectus that they offer good rehabilitation facilities, health treatments etc, however, I strongly argue that this is to make the fact that a modern day slave trade exists, morally digestible to the stakeholders. The reality is that it is not.

The tough on law and order is definitely not working, prisons will continue to be overcrowded whilst the government takes a haphazard approach to policy/legal issues regarding criminality. Over half of the United States prison population are non-violent drug users, who have been imprisoned for minor crimes. The government, if it privatises prisons will be creating a new era of slavery where the inmates are **forced** to work.

This will further mask the true unemployment rate, as the people in prisons are not classified in the census.

It is absurd that when we are facing this global financial crisis, Corporations running private prisons profits are still going up. This is through the exploitation of people, who regardless of what crimes they have committed, still need to be treated humanely.

The cost reduction by privatising prisons will be shortlived, the government will end up spending more and more capital in supporting these corporations whilst they are getting richer and richer.

This money could be spent in the areas of education, housing, employment strategies, rehabilitation and health, which will reduce the risk of recidivism.

I have not seen any report produced in Australia that has ever tackled the argument of the "prison industrial complex", and I kindly urge the Committee to consider the reports, literature and arguments that exist surrounding the privatisation of prisons in the United States. Everyone under international law has the right to be free from slavery, and it will be a serious flaw in New South Wales governmental history to see the exploitation of people of colour, especially Indigenous peoples.