

Submission
No 438

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

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

Partially Confidential

Submission in relation to the
"Inquiry into the Privatisation of Prisons and Prison-Related Services"

Prepared for the
General Purpose Standing Committee No. 3

To: The Hon Amanda Fazio MLC,
From:

Dear Ms Fazio,

Please find the attached submission by myself.

I request that my personal details be suppressed and treated as confidential.

Kind Regards

27 February 2009.

The Hon Amanda Fazio MLC,
Dear Ms Fazio,

I wish to make the following submissions to the General Purpose Standing Committee in relation to the "Inquiry into the Privatisation of Prisons and Prison-related services".

I have been employed by the Department of Corrective Services for almost eighteen years and : I have extensive experience within many Correctional Centres and Specialised Units, including rostering.

As a dedicated employee of the Department of Corrective Services, it is very alarming to read numerous newspaper articles containing statements from the Department of Corrective Services that say Prison Officers are solely to blame for over expenditure within the Department. However, what is more alarming is reading comments from the Commissioner of the Department of Corrective Services from Monday's hearing which now lays the sole blame for the need to hand over control of two of the biggest Correctional Centres in the state to private contractors. He has blamed front line workers who work excessive hours, in dangerous conditions and with little or no recognition for their dedication.

I would like to state to the inquiry that there is no need to privatise any NSW Prison. If this is allowed to proceed, it would be the greatest injustice to NSW Tax Payers that I have ever witnessed.

Junee Correctional Centre:

The Department of Corrective Services is currently using Junee Correctional Centre as a benchmark for the operation of all NSW Correctional Centres. Junee Correctional Centre has been operating for many years and appears to be very cost effective. Cost effectiveness however is not the be all and end all of managing a Correctional Centre.

Recent reports state that Junee had the highest number of complaints to the NSW Ombudsman and that inmates were trading toilet paper. Having only worked in public run prisons over the past 18 years, I have never witnessed such absurdity. This then ponders the question: Did the company put forward unrealistic running costs in their tender and then diminish services to remain within the allocated budget? This is the only logical explanation.

I have travelled to Junee Correctional Centre on many occasions and only have praise for the staff working there. I have witnessed their working conditions first hand and have often been amazed that they can operate successfully, given the limited staffing and conditions that are in place. Recently it was reported by some staff at that centre that many of them had resigned or were planning to resign in order to take up positions at the new Correctional Centre within the Australian Capital Territory. Further staff were transferring to other centres run by the private operator. The reason stated by one staff member is that Junee staff are tired of the lower wages and working conditions offered at Junee Correctional Centre.

Staff shortages and overtime expenditure:

There are several points of evidence given by the Department of Corrective Services that are alarming. I feel that the committee members are not receiving accurate information in relation to staffing levels, reasons for budget deficiencies and, ultimately, the reasons for privatisation.

As a long term employee of the department and, having worked at many locations, I am astounded by some of the comments made by representatives of the department on Monday.

These representatives have stated that the cost of overtime and the unwillingness of the Union to negotiate with the department are the sole reasons for the proposed privatisation of Parklea and Cessnock Correctional Centres. They have blamed frontline workers, like me, for 'roting' overtime payments and causing a budget blow-out. It is impossible for Prison Officers to organise their own overtime shifts. The only 'crime' I have committed against the department is to be awoken by a phone call at 6.15am on my day off and agree to come to work to fill a void left by long term staff shortages.

Every Correctional Centre in the state is governed by a General Manager or Manager of Security. These "Managers" are responsible for the oversight of a yearly budget and the staffing of their centre. Each overtime shift that is assigned is approved by the Managers as necessary for the correct operation of the Correctional Centre.

What the Department has not disclosed to the inquiry is what occurs when they want to increase the inmate numbers within a Correctional Centre, change the security classification within a centre or reopen a previously closed area, in order to cope with rising inmate numbers. The department negotiate with the local union for additional staffing to cope with the increase in workload or supervisory requirements. Once negotiated, the extra positions are placed on the roster as 'unfunded' positions. "Unfunded" positions are a requirement of the daily staffing for the area, but are not officially recognised as positions within the staffing establishment. This results in a staffing establishment that does not accurately reflect the staff needed to run the centre and results in severe staff shortages, resulting in the need for staff to work excessive overtime.

I have worked at my current Correctional Centre for the past nine (9) years and for that entire period we have been understaffed. The local Union have previously asked the department to activate the transfer list to enable further full time staffing and have been told that this had been done and the list had been exhausted.

We currently have a situation at this Correctional Centre where we have numerous "Unfunded" positions. The local Union have been attempting to have these positions placed as permanent positions on our establishment but the answer from the Department is always the same: ***"It is cheaper to fill them on overtime"***

The Department of Corrective Services has stated that the staff numbers had grown at the same rate as the inmate numbers, however I believe that many of these staff were recruited for Community Offender Services and administration roles, not frontline custodial positions. The Department of Corrective Services has failed in their duty of care to staff by not maintaining safe staffing levels in Correctional Centres for many years. This has forced existing staff to work long hours and has jeopardised their health, family ties and social interactions. The acknowledgement we have received from the Commissioner and the Minister for our dedication and hard work is misguided media reports blaming us for the inept management of this Department and its associated budget. We are the ones that now face the consequence of uprooting our families and moving away from our social circles and support networks that we have come to take for granted.

Casual Correctional Officers:

It is the view of many staff members that the department has done a great injustice to the recently employed casual officers. This staffs originally applied for and were successful in gaining permanent positions within the department. They subsequently left military and management careers to focus on careers with the Department of Corrective Services. They were told at the last minute that they would be employed as casual staff, however the notice was too late for those that had submitted resignations or sold businesses.

It is not reasonable to expect that a Correctional Officer can work at John Morony one day, Parramatta the next day and Long Bay the next day whilst trying to familiarise themselves with vastly different physical layouts, inmate needs and security classifications, keys, locks, security procedures and emergency response procedures. This is a recipe for disaster and it not only affects the casual staff, but the permanent staff at each location.

The differing physical layout of each NSW Correctional Centre is only one reason why the practice of using casual staff could result in an unnecessary delay of assistance or emergency response. Someone who has worked three shifts at John Morony over a two week period is likely to become disorientated when they are called to respond to an emergency in the activities area at Mulawa Correctional Centre.

I have built a strong repour with my many work colleagues and am attempting to build the same with the casual staff that are posted at Parramatta on a daily basis. I am currently finding this difficult, given that I may only see each individual once every two weeks, given shift differences and days off.

Reforms and Cost Saving:

It has been reported that the department spent almost \$35 mil to train the previous class of casual Correctional Officers. Almost 20 percent of these staff have resigned or are planning

on resigning. This attrition is much higher than that of full time employees and, given that it costs the same amount of money to train casual staff as it does to train full time employees, one would ask the question of the government as to where this is attributing to cost cutting within the department.

By employing casual correctional officers to cover staff deficiencies is merely a way to shift the cost from the overtime budget to the staffing and wages budget. Given that it costs the same to train these staff and they are only utilised for a few shifts a week, it would be cheaper to pay existing staff on overtime, but the cost could not be shifted from the overtime budget, not the staffing and wages budget. This method is not cost cutting, it is merely a way to shift the costs from one budget to another to make the department appear more efficient.

It is thought that the Commissioners wages have risen substantially due to performance bonuses. I can not believe that someone can be rewarded financially given that their performance is questionable.

It has long been said that the Commissioner has created his own empire in Head Office whilst those of us on "the ground" suffer. When Mr Woodham was the Assistant Commissioner, there was only one Assistant Commissioner. We now have approximately eight (8) Assistant Commissioners, three (3) Deputy Commissioners and numerous Directors and Managers (See appendix 1 – Levels of Delegation).

Why the need for so many high level managers on excessive wages?
Is it because of the restructure and deletion of 11 Superintendent positions?

These positions were deleted but the staff were retained, placing many of them into newly created position at higher ranks and wages.

The Department of Corrective Services has stated at the inquiry that they have intentions to close Parramatta Correctional Centre when the new centre at Nowra opens. This news has come as a surprise to staff working at Parramatta. When Assistant Commissioner Don Rodgers attended that location in January 2009 he was asked the question if the Department had any intention of closing Parramatta. The answer was "NO, Not at this stage". What has changed in less than one month?

Now staff at Parramatta Correctional Centre also face an uncertain future within the Department. Should the privatisation of Cessnock and Parklea Correctional Centres go ahead, there will be a large number of Prison Officers who are required to find alternative positions within the Department. These staff will have 12 months to find a position, or face being made redundant. On top of this, staff at Parramatta will also be faced with his task, after many of the current available positions are allocated to displaced staff from Parklea and Cessnock.

On his announcement on Monday to close Parramatta Correctional Centre, the staff there were in disbelief. Not only has the Department spent \$60,000 replacing the telephone

system, another \$60,000 has been approved for the installation of new guttering for the housing units.

The above clearly shows that the Department of Corrective Services is not truly committed to cost saving. If only half of the displaced staff are relocated to vacant positions within the department, there will be in excess of 100 staff that may be forced to take redundancy after a 12 month period. This will increase department spending substantially.

The reason for privatisation?

The Department of Corrective Services has stated that the Geographical location of Cessnock was a deciding factor in the decision to privatise it. They have stated that many of the staff live on the Central Coast and are within easy access to the Sydney area. I have worked in the Sydney Metropolitan area for most of my career and have lived on the Central Coast for most of this time. Travel times have become unmanageable and it now takes almost 2 hours for me to get to work each day. I do not see four hours travelling time each day as a suitable alternative to staff who travel less than two hours previously. If this is coupled with a young family then staff will have no option but to relocate.

I know many of the staff at Cessnock Correctional Centre and this decision has mortified them, especially those with young families and established social networks, and this does not even touch on the financial difficulties they will experience should they be forced to move to Sydney. Many own homes in what is classed as a cheaper housing area. Imagine the prospect of selling your 4 bedroom family home in Cessnock for less than \$300,000.00 and facing the prospect of having to buy a 4 bedroom home in the Sydney metropolitan area.

The Department of Corrective Services has stated that they can perform comparatively to private prisons and this has been proven with Centres such as Dillwynia, Kempsey and Wellington. The Department has stated that the unions have refused to negotiate, however agreements were reached for these centres during this time period.

The Department needs to revisit the meaning of "negotiate". Representatives are known to walk into meetings with Union representatives and state "this is what we will give you". When the union members announce they can't work with the proposals, the department representatives walk out without any further discussions. I believe that is what occurred at Cessnock as recently as last year and may be the sole reason this location was chosen for privatisation.

I would like to finalise my submission by asking the following questions:

There are around 7,000 people employed by the Department of Corrective Services, however less than 4,000 of them are custodial employees working in Correctional Centres. Given that the core responsibility of the department is inmate supervision, why do so many staff work in non operational roles?

WHY is there a need to privatise two (2) Correctional Centres when it has been proven that public run Correctional Centres can be comparative in costs?

WHY is the Department of Corrective Services punishing loyal front line staff when the budget deficit was caused by high level mismanagement of the department?

WHY does the Department of Corrective Services intend to close Parramatta Correctional Centre when so much has been spent on improvements?

WHY has the Commissioner remained in his current position when he has failed to properly manage this department and its budget?

WHY won't the Department of Corrective Services negotiate with the union in an attempt to keep Cessnock and Parklea Correctional Centres in the Public system, under the island agreement?

WHY do we have an excess of non operational staff and a clear shortage of front line Prison Officers?

WHY has the Department of Corrective Services focused more on Community Offender Services over the past 12 months, rather than its core responsibility - PRISONS?

WHY does the NSW Government see fit to place so many jobs in jeopardy when they should be doing everything to protect workers?

The solution to the problem is NOT PRIVATISATION.

The solution to the problem is MORE FULL TIME FRONT LINE STAFF.

The solution to the problem is NEGOTIATIONS.

The solution to the problem is NEW MANAGEMENT.

Thankyou for taking the time to consider my submission.

Kind Regards,