

**Submission
No 25**

**INQUIRY INTO THE CLOSURE OR DOWNSIZING OF
CORRECTIVE SERVICES NSW FACILITIES**

Organisation: Justice Action
Name: Ms Mirjana Rudic
Date received: 6/11/2012



**The Hon Paul Green MLC Committee Chair
Christian Democratic Party**

Dear Mr Green,

Inquiry into the closure or downsizing of Corrective Services NSW facilities

In response to the terms of reference, we offer our submission below.

Justice Action supports the reduction of the use of imprisonment. However, we oppose the action of downsizing and closing Grafton Gaol in order to expand Cessnock Gaol. The manner in which these decisions have been made is an issue of concern.

Justice Action is concerned that the Terms of reference do not entirely take into account the welfare of prisoners as a primary focus. Furthermore, Correctional Services should concentrate on whom they are achieving to help rather than the incidental beneficiaries of the system. The issues submitted below focus on outlining the basis concerned with the downsizing of Grafton Gaol.

1.

(a) The basis for the decision

According to Attorney General Greg Smith, *“Building more prisons...is expensive and does little to make a better society. This state cannot afford to keep incarcerating more people, and spending will have to shift to reducing incarceration rates.”* This is a viewpoint that we share.¹

We acknowledge an 8 per cent decrease in the NSW prison population between 2010 and 2011. This may support the decision to close or downsize NSW prisons. However, this decrease must be viewed in the context of a 20% increase in the prison population in the decade preceding 2009². Closing prisons based on a single

¹ ‘Prison policy: NSW leads while Victoria makes mistakes’ 24.01.2012 from ABC The *Drum Opinion*

<http://www.abc.net.au/unleashed/3790388.html>

²<http://www.abs.gov.au/AUSSTATS/abs@.nsf/Lookup/4102.0Main+Features60Dec+2>

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discrete annual decrease in the prison population may be premature; the Government should demonstrate its ability to further reduce this population.

It is in our interest that the closure and/or downsizing of prisons should be motivated by a reduction in the prison population itself. Without this decreased population, the closure of prisons merely burdens existing prison infrastructure by leading to overcrowding in other prison institutions and as a result adversely affects prison life for inmates. Unnecessary lockdowns may also become an issue due to a reduction of prison staff in comparison to inmate numbers. It is for this reason that we oppose the downsizing and closure of a prison when it is accompanied by an expansion of another prison.

Furthermore, continued investment in NSW Prisons has been made evident through the decision to relocate prisoners. By relocating prisoners from Grafton to Cessnock, the Department of Community Safety (DCS) has expanded one prison while closing or downsizing the other. The end result is a transfer of the prison population. The main concern is what this could mean for the inmates. For example, Grafton is a Medium Security prison with a Minimum Security area, while Cessnock is a Minimum Security prison with a Maximum Security area. We fear that the transfer from Grafton to Cessnock may result in the arbitrary and unjustified re-classification of inmates for reasons beyond their control.

(b) The rural impact statement

The downsizing of the Grafton Gaol will not only negatively impact the prisoner's but will also have an adverse effect on their families. The jail capacity will be downsized from 275 to 60, which means a loss of 100 jobs³. The government is adamant that there will not be any staff cuts, however, Justice Action believes this isn't possible.

³ 'Watch out NSW, you've been O'Farrelled!' <http://inheritanceorg.wordpress.com/tag/graf-ton-gaol/>



Former councillor of the city of Cessnock, Mr Kerry Hickey believes that *“There will be massive dislocation of families because officers who wish to remain in the government sector will not be able to be placed in facilities within reasonable travelling time...Already families are upset and expressing serious concerns to me about the impact that this move is having on their family life, the distress it is having on their loved ones and the unfairness of decisions being made by the commissioner, the Minister and other government members.”*⁴

(c) Consultation

The decision to downsize Grafton goal has been made without the consultation of stakeholders or prisoners and their families. The government has only thought of the benefits to the stakeholders stating that the reason for the expansion of Cessnock is about maintaining jobs. However problems concerning the welfare of prisoners have not been taken into account. An example of this is the ‘1000 inmate beds project. This project sees the remaining 250 beds from Grafton Gaol moving to the Cessnock maximum-security division. These beds were formerly used within the minimum-security division.⁵

(d) Costs Associated

The main decision to downsize Grafton was reportedly motivated by cost-efficiency. Mr O’Farrell suggests that the cost of Grafton goal per prisoner is \$172 per day, compared to \$98 per inmate per day in Cessnock. This supposedly amounts to a saving of \$5 million each year⁶. However, we are sceptical as to whether this saving can warrant a \$97 million investment in the expansion of Cessnock goal, particularly when the government claims to be committed to reducing the prison population. We also wonder if Grafton could have been improved using some of that funding as a way of improving efficiency.

⁴<http://www.parliament.nsw.gov.au/prod/parlment/hansart.nsf/V3Key/LA20090326036>

⁵ Cessnock Correctional Centre http://www.ancr.com.au/cessnock_correctional_centre.pdf

⁶ ‘Premier defends Grafton jail cuts.’ 12.07.2012

<http://www.abc.net.au/local/stories/2012/07/12/3544592.htm>



NSW accounts for approximately 37% of the nations' prison population and has an imprisonment rate of approximately double that of Victoria.⁷ In fact, a reduction in the prison population is perhaps the greatest means of efficiency and cost-effectiveness. For example, it has been demonstrated that a decrease by 10% of the re-imprisonment of offenders can produce savings of around \$28 million per year.⁸ This saving is more than 5 times that of which the government hopes to achieve by downsizing Grafton. It is also worth noting that the government has perhaps a greater capacity to reduce re-imprisonment rates by creating a focus on the implementation of rehabilitation strategies in order to reduce recidivism. Nonetheless, reducing the rate at which new offenders are imprisoned also produces significant savings, albeit it less than the re-imprisonment rate.

It is in our interest that this substantial funding could have been better spent elsewhere such as re-investing in the Grafton community by, for example, constructing a TAFE facility. This would assist with upholding employment rates for concerned citizens as well as providing essential education.

In addition to inmate costs, Cessnock gaol requires the fixing of electrical equipment throughout the prison. This move will add to further costs for the gaol, which could otherwise be used to fix hygienic issues such as those mentioned by inmates.

(e) Social impact

Prison officers from Cessnock gaol claim that it is unable to cope with such a large number of transfers from Grafton gaol and that the prison is incapable of supporting any inmate above minimum security. However, 250 beds are being implemented for maximum-security inmates. The impact this will have on existing and new prisoners is negative due to problems associated with privacy, comfort and safety.

Prisoners, their families and community members need to be main priority during the decision making process. Disconnection from families whilst in prison has detrimental effects on both parties. Prisoners, having a close tie with their family and the community can be assisted and supported during their sentences in order to reduce recidivism through rehabilitative strategies. However, transferring prisoners to another prison will eliminate any chance of rehabilitation.

⁷ Australian Bureau of Statistics prison rates - March 2012
<http://nationalunitygovernment.org/content/australian-bureau-statistics-prison-rates-march-2012>

⁸Peters, A (2010) 'Improving the Justice System: Reducing crime' *NCOSS page1*
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Families of prisoners tend to be located within close proximity of the Gaol which means that moving inmates from Grafton to Cessnock would cause problems for families who would then be forced to either move near the new facility or otherwise be distanced from the prisoner. If families do not have the financial means to uproot their lives and move closer to Cessnock, the 12 hour round trip cannot be undertaken realistically within a day. A negative effect is created for both parties.

Corrective services spokesperson John Kaye commented "It's not just corrective service officers who face the prospect of having to move, families of prisoners will also now have to make a long commute to see members of their family."⁹ In addition to this, the Clarence Valley Community Union plans to get a petition signed with 14, 000 signatures in support of Grafton Gaol restructuring.¹⁰

(f) Long-term plans for closed facility

Justice action suggests that a way money could be brought back into Grafton goal is by opening it to tourism. Grafton goal is a historical building and is listed on the NSW State Heritage Register.¹¹ The opening of the goal to tourism could be used to not only exhibit the building but could be used to educate people about gaol procedures and provide a fascinating historical background.

⁹ 'Media release" Greens back Grafton gaol protests.' 05.07.2012

<http://davidshoebridge.org.au/2012/07/05/media-release-greens-back-grafton-gaol-protests/>

¹⁰ 'Health cuts next blow.' *The Daily Examiner* 15.09.2010

<http://www.dailyexaminer.com.au/news/health-cuts-next-blow-nsw-government-funding/1545872/>

¹¹

http://www.traveldownunder.com.au/New_South_Wales/Northern_Rivers/Grafton_Heritage_Trail.asp

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(g) Heritage values

Grafton gaol has been around since World War II, which makes it a site full of rich history. Part of this history includes the gaol having housed the most dangerous prisoners upon its first opening¹². The area also houses a number of heritage listings and for this reason continues to be a tourist attraction. Due to this, it is important to uphold Grafton gaols historical background and educate both locals and tourists. For this reason, using the gaol as an educational beneficiary would be ideal. Furthermore, locals could find employment within the gaol once again and experience a sense of unity within their community through connecting with the history.

(h) Employment Opportunities

As suggested in sections (d) & (e), constructing a TAFE facility would be beneficial to residents of the community as would transforming the gaol into a historical site. Both institutions would be a source of employment whilst providing educational benefits. Due to Grafton's well-established history, tourism numbers would rise and as a result, further funding and costs would support the community and its members.

We are prepared to give evidence to the enquiry on behalf of prisoners and their families to ensure their concerns are fully considered.

Yours Sincerely,
Mirjana Rudic

¹² Chronology - A History of Australian Prison Reform
http://www.abc.net.au/4corners/content/2005/20050711_supermax/prison-chronology.htm