

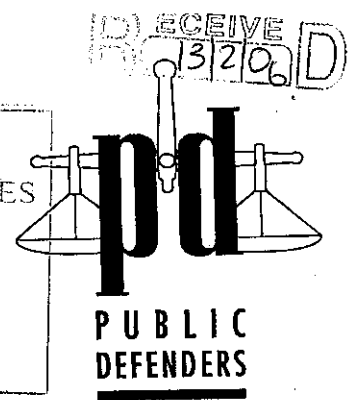
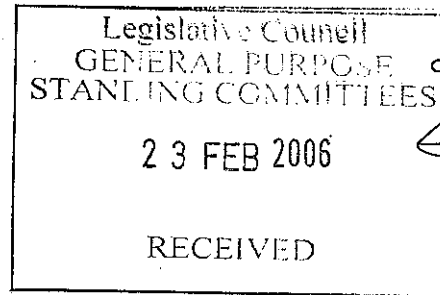
**INQUIRY INTO ISSUES RELATING TO THE OPERATIONS  
AND MANAGEMENT OF THE DEPARTMENT OF  
CORRECTIVE SERVICES**

**Organisation:** NSW Public Defenders  
**Name:** Mr Peter Zahra SC  
**Position:** Senior Public Defender  
**Telephone:** 02 9268 3111  
**Date Received:** 23/02/2006

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**Subject:**

**Summary**



8 February 2006

The Hon Amanda Fazio MLC  
Committee Chair  
General Purpose Standing Committee No.3  
Legislative Council  
Parliament House, Macquarie Street  
Sydney NSW 2000

Dear Ms Fazio

I refer to your letter of 7 December 2005, in which you invited me to make submissions with regard to the inquiry by your committee into issues relating to the operations and management of the Department of Corrective Services. I shall deal with each of the terms of reference in turn.

As for 1, I have no expertise in this area and express no opinion.

As for 2 generally, prisons must remain humane places, no matter what the security or other challenges. Anything else leads to degradation, not only of individuals, but also of the whole community.

As for 2a, I have experienced little difficulty in accessing and contacting my clients in gaols, including the process of security screening of myself. I do suggest that the facilities available for video-conferencing by lawyers with clients should be quickly expanded. There would be enormous savings in time and money if they were readily available at every gaol in New South Wales.

As for 2b, the HRMU should be reserved for those prisoners who truly present a great risk. It should never be used to contain prisoners about whom some concern is held because of political or media or other considerations.

I have heard from clients and other counsel that persons are being held in that gaol in extremely circumscribed and difficult conditions. That must be, absolutely, a last resort.

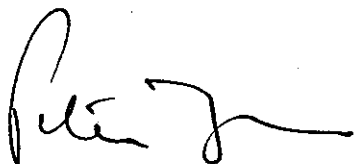
As for 2c, I express no opinion about the objectivity of the classification system.

As for 2d, I am not in a position to express an opinion about staffing levels. As for overcrowding, it is clear that rehabilitation – with all the benefits that it brings to the community just as much to the offender – is harder when it is attempted in trying or unsatisfactory physical conditions.

As for 3 a and b, I have experienced little difficulty in this area. I believe that the interstate transfer of offenders and parolees should continue and be encouraged. It should be free of political interference. It should also have the resilience to stand up to media-driven community "outrages".

Thank you for providing me with the opportunity to contribute to the deliberations of your committee.

Yours faithfully

A handwritten signature in black ink, appearing to read 'Peter Zahra', with a long horizontal flourish extending to the right.

PETER ZAHRA SC

Senior Public Defender