

Submission
No 65

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

Name: Mr Carl Harris

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The effect of the proposed privatisation of prisons in NSW on the human rights, welfare and rehabilitation of inmates in the NSW prison system.

**Legislative Council General Purpose Standing Committee No. 3
The privatisation of prisons and prison-related services (Inquiry)**

I write as the family member of a person who has been an inmate of a NSW prison in the past.

My primary concern in relation to the proposed privatisation of prisons in NSW is in relation to the human rights of inmates of NSW prisons and the welfare and rehabilitation of inmates in the NSW prison system.

In general over the time that I have been in contact with the NSW Prison system, I have observed a general decline in the resources devoted to the welfare and rehabilitation of prisoners in NSW.

Over ten years ago when my sister was first sent to prison there were a wide range of programs available to inmates. These included sport programs, creative arts programs, as well as the option to undertake vocational or higher education while in prison. Over time these programs were withdrawn or discontinued. Now prisoners have far fewer opportunities to spend their time in prison productively. I believe that the deterioration in the quality and volume of these programs is likely to negatively impact on the incidence of assault in prisons, disciplinary breaches and recidivism rates of prisoners.

I believe that these programs are likely to suffer further if prisons in NSW are privatised. The purpose of privatisation is to reduce the cost of the NSW prison system to the state government. I do not believe that private operators of prisons would be motivated to invest in these programs, particularly when the government, their funders are seeking to reduce the amount that they spend on the system as a whole.

Prisoners as a group are extremely vulnerable to human rights abuses as they do not have limited ability to defend themselves, to complain or to communicate with the public about their experiences. Australia is a signatory to the International Covenant on Civil and Political Rights which supports the right of prisoners to be treated with humanity, dignity and respect. As the NSW government is responsible for prisons in the state they have an obligation to ensure that the human rights of prisoners are respected.

Despite this there is significant and widespread abuse of the human rights of prisoners in the NSW prison system. This was the experience of my family member who was an inmate in the NSW prison system. During her time in the NSW prison system my sister observed discrimination against prisoners from Aboriginal and culturally and linguistically diverse backgrounds who were rarely provided with culturally appropriate programs or support. Because of their background and because of the additional disadvantage often experienced by women from these backgrounds they have greater needs as

prisoners. Because of the classification system that equates need with "risk" these prisoners are also denied opportunities to participate in programs where they exist.

The NSW government currently has direct control over the treatment of prisoners as prisons are fully controlled by government employees. This means that the government has the capacity to take action to protect the human rights of prisoners and it could in the examples raised above. If prisons were privatised, the NSW government would lose any direct control over the treatment of prisoners which would make it more difficult to reduce the incidence of human rights abuses in NSW prisons. The government would be giving up control of the prisons, but it cannot escape its responsibility to ensure that the human rights of prisoners are respected.

The government is seeking to reduce the cost of the NSW prison system. I would suggest that an investment in early intervention and crime prevention would have a greater long term impact than the privatisation of prisons. I am extremely concerned that the proposed privatization of prisons will have a negative impact on the rehabilitation and the human rights of prisoners.