

**Submission  
No 37**

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

**Name:** Mr Andrew Richards

**Date received:** 7/11/2012

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A Richards,  
PO Box 1451  
Grafton 2460.

5th. November, 2012.

For the attention of, the Select Committee  
on the Closure or Downsizing of  
Corrective Services NSW Facilities.

Dear Committee,

my name is Andrew  
Richards and I would submit  
on behalf of my community the  
following:-

I would submit that there was  
no statutory consultation and  
public interest testing with the  
people in regards to Grafton Gaol,  
historically Grafton is a Gaol Town.

Upon that point, I put a Question  
an Notice Without Notice to the  
Executive via the Member for Clarence,  
the Hon. Chris Galanti from his  
office by way of facsimile on the 11/7/12.

This document and the subsequent replies are attached and I would categorically state the Premier, the Deputy Premier and Minister for Corrective Services have all failed to answer the question on notice. They have breached their duty of care and have been negligent by failing to reply and answer the question honestly, openly and transparently and upheld their oath to the People of NSW that they took after being elected to office. I would also say the responses differ in the interpretation of what went on in the Department prior to their shock announcement to the Community. I also have attached my correspondence to the Hon. David Shackbridge of the

Greens and his reply which clearly identifies my allegations of a breach of due process by those in the Executive, by denying us Natural Justice by failing to comply with due process. I would clearly state democracy does not work without the VOICE OF THE PEOPLE anything less is just autocracy and totalitarian and I don't come from where they have governments like that!

I would also submit that the Public Sector Ethics Act clearly states

1. You will Uphold the Laws of Australia & N.S.W.
2. You will Respect our Rights, Views and Dignities and More Importantly Salvate Them,
3. You will Not Put Us in a Compromising Position and Deny Us Natural Justice

4. You Will Not Breach Your DUTY<sup>r</sup>  
and Be NEGLIGENT

5. You Will Not Use the Public Purse  
for your own personal benefit,  
it's to be spent on the people.

and this is in addition to the  
Parliamentary Standards & Ethics Act.

I would submit we have been  
denied natural justice because  
there was no social or economic  
impact statement on the effect  
this decision would have on our  
community and economy due to the  
fact there was no consultation.

Although Grafton is the first city (1867)  
on the Mid-North Coast it is not a big  
place and the wages of the <sup>100</sup> gaol  
Staff (\$100K/annum approx) bolstered  
our regional economy big time. There

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has been no replacement of "Government Positions" in our area to offset the effect of the mass redundancies on our local economy.

I would also submit to my knowledge the "Political Prisoners" of Grafton have not been transferred to the new Cessnock facility but have been shifted to Kempsey and that some people have no idea where their family have been sent to. Upon that point the recommendation of the Royal Commission into Aboriginal Deaths in Custody has been totally ignored, as it was stated that "it was better to keep these particular prisoners close to their families and social support network groups to lower the incidence of "DEATHS IN CUSTODY"

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I would also submit that the Aboriginal Community were not consulted. Upon that point I have heard that they feel they are being punished, (an extra judicial punishment on them by the Executive) and no provisions for travel, accomodation, carer help and monetary assistance has been set up to assist them in visiting their loved ones. I would submit this has had a terrible impact on Mrs. Skinner and her family in relation to Barry Skinner her son, BRING HIM AND ALL THE BROTHERS BACK, BLACK, WHITE OR BRINDLE! I would also submit what don't people understand about cultural respect for the Aboriginal People the true owners of Australia.

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I would also submit that it's great that you are coming to Grafton to meet the people and I hope that you will be going to meet the Aboriginal Elders on a "listening tour" as there are many stories to be told to you, off them. I would categorically state 1 day will not be enough time to talk to all of us and you will need a week to take everything on board from all interested parties. I would also submit relocation of Government jobs to our area will only impact on the lives of others and create a risk for them and their families and never fill the hole that the downgrading of Grafton Gaol has made in our community. The Government has also admitted there is a high intake of inmates



from our area and region. P8/12

I would also submit only 5 prison officers relocated to Cessnock the rest are ready and waiting to go back to work at Grafton including the school teachers and social workers. Stone Cold Fact!

I would also submit that Andrew Stonor as the Minister for Regional Infrastructure should have known what was going on, Daily Examiner Headlines attached. (14/15 July 2012), page 4, Janette Saffin letter and October 9th 2012 Page 1 & Editorial by Jim Howard. This clearly shows that the Executive are a bunch of square pegs in round holes and are not capable at performing their portfolio duties. Just look at the "Budget" that underpinned their

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administrative decisions that have NO basis in fact or law. One minute it's in deficit next minute it's in surplus, this misinformation has had a detrimental effect on all of N.S.W. and clearly removes faith and confidence in this Government. On behalf of the people, I would offer to buy them an ABACUS, it would undoubtedly assist them in their fiscal decision making process.

I would also submit the Dept. of Corrective Services needs an internal shake up to ensure that they are in compliance with the Laws of Australia and N.S.W. and the ICCPR (International Covenant on Civil & Political Rights) in regards to the Human Rights of the Prisoners. I would also submit

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is another reason why there should be a review of how they operate and when you consider the fact, CSNSW never even questioned Queensland Corrective Services or the Queensland Police over the FALSE CRIMINAL HISTORY sent by carriage service (facsimile) interstate to N.S.W. I even had to attempt to change my record on the NSW System and yet the false information is still there and can be used against me as it shadows the truth. I'll show you the documents about that in Grafton. I would submit that CSNSW is out of control and has thrown the key away on everyone.

Finally, I will close on this

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paint, we have heard as stated by  
media &  
^ in my letters to the Executive and  
the Greens that, Grafton Gaol closure,  
was a Cabinet decision or a Ministerial  
decision but the reality is it  
was nothing less than a DEPARTMENTAL  
DECISION that did not comply  
with and fallow due process  
(AND IT DIDN'T!)

Therefore I would suggest and  
recomend that the Grafton Gaol  
be reopened and the Prisoners  
be returned and that the  
staff be reinstated to their jobs.

I look forward to meeting the  
committee and thank you for the  
opportunity to comment

Yours Sincerely

Andrew Richards 1/0  
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- 1 page 13/7/12 Hon David Shoekbridge
- 1 page 12/9/12 reply the Greens
- 1 page 24/8/12 reply CSNSW for Greg Smith SC  
signed by who know for P. Peters  
possibly Miss Glen Singer or someone else
- 2 page 30/8/12 reply Deputy Premier A Stone
- 1 page 11/9/12 Hon Marie Ficarra MLC for the  
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## The Daily Examiner Extracts

- 3 pages 1, 4 & 12 14th-15th July 2012
- 2 pages 1 & 8 9th October 2012
- 27 Pages in total.