

Submission
No 114

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

Name: Mr Mark Duncan

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**The Director
General Purpose Standing Committee No 3,
Legislative Council, Parliament House,
Macquarie Street
Sydney 2000**

Subject; Inquiry into the privatisation of prisons and prison related services.

I submit the following submission in opposition to the privatisation of prisons and prison related services. However, from the outset I must advise the Director that I am a current serving correctional officer and have been for the past 19 years. However, this is not the motivation for my submission. My submission comes from my previous studies in criminology. It is from these studies that I reject the privatisation of New South Wales Prisons and its services.

It is well documented and supported by academics that when citizens are removed from a democratic society it is a last resort. As such once a citizen of Australia is charged with an offence they come before the courts of the state or territory to have the matter dealt with. In the event that the courts decide that a person is to be removed from society in the form of incarceration it is the state or territory that accepts responsibility.

There is a warrant generated by the court and addressed to the Governor of a correctional centre to keep that person **safely** in custody until its expiry date. In accepting this person the department of corrective services takes on responsibilities which are reflected in its mission statement and vision.

Previous and current Parliamentary Ministers along with inquiries have made recommendations that have seen specialist services aimed at reducing recidivism adopted. These systems have been developed over many years and as such have seen a reduction in serious offences in custody as well as the community, (<http://www.acquirecontent.com/topics/law/law-enforcement-and-corrections/canadian-journal-of-criminology-and-corrections>).

If the standing committee was to recommend the privatisation of prisons it would be at the cost of the public purse. At this current juncture the department of corrective services operates a number of industries that last year recorded a gross income of approximately 51 million dollars. In the event that these industries were to be handed over to a private operator this money would go to a private contractor and not into the public purse. One would have to question the logic behind such a stance given the large sum of money, (<http://www.dcs.nsw.gov.au/>).

In the event that the committee was to endorse the privatisation of prisons and its services it would be endorsing incarcerated citizens to be used for profit by a private operator. Given the recent damaging report into the running of the Baxter Detention Centre by Australasian Correctional Management and the negative media and community outcry, the need for privatisation should be rejected when it comes to the detention of human beings.

There are a number of concerns that face the committee especially if privatisation was the preferred option to running the states prison system. Outside of the loss of revenue the authorising of private security to utilise deadly force to prevent escape or stop another person from being killed or seriously injured is a heavy burden. This is a very serious condition of employment and one the general community only hands over to their protectors, military, police, corrective services and other government agencies.

It is a difficult and unacceptable situation that endorses government on selling inmate labour to the highest bidder. It is ethically improper to allow a business entity to profit from the most serious of all community roles, the removal of common law rights by the community. Recently 13 February 2009, Reuter reported on two Philadelphia Judges that handed out excessive sentences to minors in order to receive financial gain from the private operator, (www.news.com.au). I am not suggesting this will be echoed in Australia. I am highlighting the power private operators can have over any system when profit the motivation for existence.

The department of corrective services takes on the role of rehabilitation by offering offenders an array of courses that can minimise re-offending patterns and behaviours. As stated above any change to this structure to reduce recidivism fails to serve the community as well as the offender. Offenders should not be sold into a profit margin but rather afforded the opportunity to better themselves through Case Management and in unison with their Case Officer.

Some time ago the budget committee authored a paper "Value for Money". This paper indicated that there was minor benefit in privatising the states prison system. It acknowledges that there are areas of the department that could be better managed. This is something all public sector employees would welcome. Every citizen in New South Wales has the right to see the public service function cost affectively. I believe that this is easily achievable without privatisation, but rather through improved work practices.

It is my submission that the committee could greatly reduce the running cost of the department of corrective services by looking at the disparitive levels of front line officers to ancillary staff. Likewise the running of so many regional officers along with a Sydney based head office in the form of the Henry Dean Building and part of Roden Cutler House.

The committee under my submission could not satisfy itself with the high level of senior ranks working away from the coal face or front line. The department of corrective services has approximately 33 gaols broken down into 14 clusters each cluster is managed by a general manager, with this in mind why do the tax payers of New South Wales pay for about 62 governors extra? A similar situation exists with managers of security; each of these senior ranks is on a contract. Surely some of these contracts should not be renegotiated to stop the drain on the public purse. These excessive overindulgences along with excessive building rentals need to be factored into the committee's equation.

Extravagances such as the correctives services academy need to be looked into reduce running costs. This land could be redeveloped and corrective services share the Goulburn police academy this would pose huge savings.

The Court Escort Security Unit operates all around New South Wales. Corrective services officers in the Sydney metropolitan area and rural New South Wales, move inmates from correctional centres and court locations. Often these escorts are done at very short notice and ensure the smooth running of our democratic court system. If the committee endorses privatisation it will pay a private operator on a per seat basis. This will see the court system delayed or the government pay more for a service that already run.

It is my understanding that the department of corrective services intends to purchase escort vehicles and release them to a private operator. This if it is correct poses moral and ethical issues that the committee should reject in my view. The additional cost to the public purse should not be to the benefit of a private operator.

Approximately eight years ago the government moved correctional officers into court locations to free up police numbers. These officers moved their families into communities with rural New South Wales. These communities saw huge benefits in the form of a greater police presence within these communities as well as financial benefits. To remove officers and their families will be at the detriment of the communities they reside.

In closing I wish to reiterate that I oppose the privatisation of New South Wales Prisons and its Services. I firmly believe that there are many cost cutting measures that would allow the current system to be fine tuned without damaging communities, staff and their families and offenders and their families. Nor can I accept any argument that supports the ideology that the management of corrective services can not bring about cost effective change.

I thank you for the opportunity to voice my concerns and views.