

**Submission  
No 2**

## **INQUIRY INTO PARKLEA CORRECTIONAL CENTRE AND OTHER OPERATIONAL ISSUES**

**Organisation:** Cessnock Prison Officers Vocational Branch - POVVB

**Date received:** 26 January 2018

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Submission from the Cessnock Prison Officers Vocational Branch (POVB) in relation to the NSW Legislative Council Inquiry into Parklea Correctional Centre and other operational issues

Honourable Members,

We the undersigned, that is, the members of the POVB (Prison Officers Vocational Branch) at Cessnock Correctional Centre wish to make the following submission in relation to terms E and F of the inquiries terms of reference.

Terms of reference E.

This branch has previously voiced its opposition to the privatisation of Jails in 2009 during the attempted privatisation of Cessnock and the Parklea facility.

On that occasion, our submission was successful. A lot of what was said then is as true today as it was then. In fact with the recent history of disastrous privatisation schemes one would believe that it should be dead in the water. Since that time it now appears that there are elements of both sides of politics that have changed their view on the privatisation of Jails in this State. There is a clear change in perspective from many leaders in our society that believe privatisation of prisons to be a retrograde step.

Individual officers may make their own submissions in relation to this issue.

Terms of reference F.

Under the description of "any other matter related to this inquiry " we believe that the current Benchmarking Policy of Corrective Services NSW will adversely affect our members and further corrode the effectiveness of the penal system within this State.

The current Benchmarking Policy of Corrective Services NSW is predicated on the subjective budgetary comparisons between ourselves and private Jails, namely Parklea Correctional Centre. The Department has used staff reduction as its primary tool to meet an imaginary parallel to the costs of running jails, such as Parklea.

We have been led to believe that we are to be benchmarked against the very jail which is now the subject of this inquiry. We believe this to be an unfair and improper comparison.

We believe that the running of any jail should be managed with the view of making a safe workplace for competent and well trained officers to safely and securely house and supervise inmates. We believe adhering to the principles of the humane treatment and rehabilitation of prisoners to be a priority. We believe that the current policy of benchmarking to be at odds with those principles and priorities.

The benchmarking process currently undertaken by the department is reviewing the staffing levels required to operate the current Sector 1/2 and Sector 3/4 of Cessnock Correctional Centre, after the additional building of new wings within those Sectors have been completed.

The bottom line is, that these two jails being benchmarked now have a staff of 244 to supervise and house 968 inmates.

After the expansion, the Department wants us take care of 1580 prisoners (an extra 612) with a staff of 261 (an extra 17!)

At the same time the department has created key performance indicators for their management teams, that will encourage inmates to engage in programs as well as giving them more time out of cell during the day. Whilst both of these issues are laudable concepts, which have this branches full support, clearly they are objectives which require a greater number of custodial staff.

We acknowledge that these Management teams have also been diminished by the deletion of the rank of Assistant Superintendent. These managers who are also responding officers in emergency situations, who come through the same basic training as the ground staff, will not be replaced. This places a greater risk to staff safety and inmate safety.

Supposedly we are to believe that these new staffing numbers are comparable to the numbers used to "successfully" run private Jails such as Parklea!

All of this while there are no specific plans to increase the sizes of already overcrowded clinic and reception areas.

In recent times the only increases in staff we have seen is the inclusion and strengthening of number of Immediate Action Teams (IAT) in the jail. The IAT are professionally trained, physically fit officers who are used to take control of dangerous situations that may develop within both complexes and indeed in most jails. Recent promotions have been favoured towards those who are part of these teams, whilst older experienced officers who have attained years of knowledge and skills in working cohesively with the criminal elements have been bypassed. Is the Department expecting a future where violent confrontations are the norm?

Of course there are many issues other than this current inquiry which make the comparison between Cessnock Correctional Centre and Parklea impractical as well as unfair.

Since the intended privatisation of both Cessnock and Parklea in 2009, Cessnock has undergone many changes. These changes have been significant in that they have been done through partnership between the management and the POVB. Those members who were at Cessnock at the time can give testimony to the many changes that were made in order to make the jail run more efficiently and effectively. This cooperation has frequently been acknowledged by Management.

That aside, there have been many circumstances where staff have been asked to go the extra yard in which they have willingly complied when in the past such changes may have lead to industrial resistance.

For example, Staff have transitioned all one out accommodation cells to two out cells throughout both centres. This has obviously increased inmate numbers, but more importantly it has increased the risk factor of working in these areas as well as removing an important inmate management tool, that one out cells provide.

Staff had been guaranteed the use of the Officer Accommodation Facility outside the old gaol for the exclusive use of Staff who may have accommodation issues while on transfer or officers who are doing double shifts and need rest time between their next duty without the need to travel in some circumstances a long way home and back. That is, short and long term accommodation needs. With the cooperation of the POV B this unit is now K Block, a transitional unit for inmates to have greater freedom in a living space outside the walls of the jail. An act aimed to assist the inmates in their adjustment to life after incarceration.

Another example is that we have accommodated two wings for Female offenders without being provided the full infrastructure changes and training needed to manage female inmates.

There have been many other examples in recent times of worker cooperation in order to make this jail a viable asset through times, as we are all aware, of virtual wage stagnation. We have responded by using our own initiative in improving work practices. We have indulged the introduction of new management practices that we haven't always necessarily agreed with, to foster industrial harmony.

In conjunction with the new Benchmarking Policy, the Department now intends to enforce a Cyclic rostering system. Currently Cessnock uses a preferential rostering system that has only been made more complex because one roster covers two gaols. This will be and should be resolved when the two gaols are completely divided, which is expected later this year.

Preferential rostering allows staff to successfully manage their work time with their family commitments. It also allows Executives to position the right people in the right areas. It is very important in the management of inmates that they have consistency in the staff they deal with. It is also important for the the good governance of the jail that there is a collective intelligence of the various idiosyncrasies and behaviour of inmates that is accumulated by a majority of officers who work consistently in those areas. Strict cyclic rostering, as proposed, will destroy that continuity.

We have been told by management that the whole benchmarking process will be done in conjunction with a training process that develops officers needed to carry out newer and greater responsibilities. We are concerned at the sincerity of Corrective Services in their plan to offer greater training when they have not been able to maintain the compulsory qualifications such as firearm and baton training that must be updated at least every two years.

In the last couple of years there has been a few major fire incidents. As a result, management introduced a policy that the staff would undergo a training day where fire drills were to be exercised and that staff would familiarise themselves with the use of various safety equipment on a monthly basis. These monthly training sessions

were to also incorporate the other skills that must be refreshed from time to time. This is wholeheartedly supported by the POVB.

This exercise lasted one month, therefore, only the staff rostered on that day (a very small number of the total staff) received the benefit of any tuition in fire safety.

Of course the pressure on Management under the KPI s incorporated within this Benchmarking Policy, is that they must increase the total amount of hours that inmates are to spend outside their cells. To make training available to all officers on any given day, makes it necessary to lock down the jail. This is a contradictory ambition of the Department if they wish to reduce the amount of staff in the jail.

The members are disappointed to say the least, with the response of the Department to some of these aforementioned events. There was a fire event in the Reception area where officers attended a burning cell with two inmates inside and inmates in adjoining cells. These officers put their own lives at considerable risk to pull the badly burnt inmates out and administer emergency first aid. These officers are heroes to the parents of those inmates whose lives were saved. The Department has buried the affair while questioning the actions of those concerned in relation to protocols and procedures. One of those officers is a respected volunteer Bushfire Brigade Captain. No recommendations for bravery or official acknowledgment apart from the gratitude of the families of the victims have been received.

Just four years ago an officer manning a Post in the Sector 3/4 Clinic on his own, called on the assistance of another immediate officer passing through his area. What



followed was a series of incidents, from those officers confronting a mentally unstable inmate, that led to the Criminal Prosecution of both those officers for the most outrageous and offensive charges, based purely on the say so of a long standing criminal with a history of vexatious complaints and mental illness. During the inordinate amount of time while the DPP prepared its case one of those officers died while the other underwent enormous stress and financial difficulties whilst defending himself. At no time did Corrective Services suggest that these officers had done anything wrong through it's own investigations. In fact they supported both officers. Meanwhile the Justice Department through the offices of the DPP relentlessly pursued this matter until it's farcical conclusion. In trial His Honour viewed the only evidence offered, that of the CCTV footage, suggesting it proved the Defendants case and immediately dismissed the matter. His comments on the performance of the DPP during this matter are, of course on public record. This Branch will support this Officer in his pursuit of compensation from the DPP.

One wonders whether Parklea has been subjected to such pernicious scrutiny as has Cessnock.

There have been many figures produced by the department that indicate daily running costs of each jail around the state. What concerns members is the apparent manipulation of these statistics and accounts that exclude the profits that have been made by the work of the prisoners in the industrial sections of the Jail. Of course it is also difficult to place a monetary value on the therapeutic and rehabilitation value that is imparted on the inmates from the sense of achievement they feel and the increase in self-worth that a productive environment produces. Naturally, not one

cent of any monies made in CS Industries goes overseas, only back into the costs of running the Jails themselves.

It would be unreasonable to rate the costs of the two Jails without taking into consideration the output and profitability of the work that has been done by the Overseers and the working inmate population.

There has been no figures produced by anyone, that account for the amount of administration costs that are provided by the Department to the privately run Jails. We should consider how these costs are factored in, if at all, into the private Jails daily running costs per inmate.

To say that the inmate population of Parklea is cherry picked is an understatement. The classification of inmates is a Departmental responsibility. Corrective Services NSW classifies inmates to that jail, that it believes are within the capacity of that jail to cope. For example, those inmates who are dependent on Bupe and Methodone are NOT sent to Parklea. These type of inmates are more problematic in the nature of their care and the formulation of the structure of their day. Therefore require more attention and staff time.

The POVB at Cessnock has been instrumental in the introduction of innovation and good governance in this jail. It was the initiative of this branch that was the catalyst that commenced the introduction of the current non-smoking policy within all Jails in New South Wales. This initiative has been recognised and acknowledged by the Commissioner.

In recent times some incidents of inappropriate behaviour by one of our own members on a female employee was condemned by this branch and raised to the attention of Management. It is the case also in this jail, for example, we have refused to house inmates on the floors of cells as we have deemed this to be unsafe and inhumane. As a professional body, we have our own standards. This is one of the advantages that this jail has over a privately run facility in that we have a professional association, that is, the POVB, that represents the members who only work in this field. The workers in Parklea are not engaged in or responsible to, any specific professional association.

There is a concern amongst the members here that the Government will attempt to whitewash these proceedings. It would, of course be in their best interest for Parklea to receive a glowing or at least satisfactory grading by this inquiry, as it would authenticate their Benchmarking agenda.

There can be no comparison that is fairly determined without an equitable financial analysis done of all costs running any jail and only then on the assumption that they are in fact doing exactly the same job. They have not, they do not. A budgetary comparison between the two Jails is fanciful at best.

This Branch would expect that a reasonable NSW Government would forego the whole Benchmarking Policy altogether or at least suspend its introduction into this Jail until the full conclusions and recommendations of this inquiry are made public.

Respectfully for your consideration,

Anthony EMANUEL  
Chairperson  
Cessnock POVB Submission Committee

Authorised on behalf of the Cessnock POVB

Paul Jones  
Chairperson  
Cessnock POVB