

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

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Partially
Confidential

**PRIVATISATION VS PUBLIC
AND
PRIVATISATION BY STEALTH**

THE BENCHMARKING OF CORRECTIVE SERVICES NSW

*"That's the standard technique of privatization: defund,
make sure things don't work, people get angry, you hand it over to private capital"*
-Noam Chomsky

As Members of the Parliament are aware, Corrective Services has been in the process of benchmarking its public prisons. It appears this is a Liberal Government cost cutting exercise with the eventual aim to privatise them. Otherwise, proper benchmarking processes would not have given individual prisons targets they cannot meet due to contradictory Corrective Services NSW policies and procedures, as well as lack of infrastructure and resources. Nor would it have let the same people who have contributed to the existing problems and wastage of millions in taxpayers' dollars determine these targets. More consultation would have been done with the frontline staff that have a wealth of experience working with offenders and inmates daily and can identify shortfalls in service delivery.

Instead, more taxpayers money goes towards the hiring of 'consultants' that have never worked on the frontline, to restructure the prisons using a business model, turning our client group into statistics. Dehumanising offenders and the staff who work directly with them in this manner will never achieve good outcomes.

The NSW Government and Corrective Services tend to use the terminology 'evidence based' to justify their many decisions. Yet, the benchmarking process we have experienced was not evidence based, nor does evidence exist that private prisons are more cost effective and produce better outcomes than public ones. Studies and research from the United States has found that the cost-savings promised by private prisons has not happened and in some cases can actually cost more. Privately operated prisons are known to pay Corrections Officers less money, in addition to minimising safety and security concerns. Increased corruption and assaults against staff are well documented.

Furthermore, other studies concluded that private prisons house less expensive types of inmates while the public facilities hold the most dangerous and mentally unwell. For example, the Mental Health Services Unit in Silverwater is a public facility co-operated by Corrective Services and Justice Health. Goulburn Supermax is a high security public goal. Private prison advocates cost estimates are based on this knowledge.

Multinational private prison operators want to make a profit. Reducing offending is secondary. Their shareholders are more important than the inmates they incarcerate. Inmates have become a commodity! After all, how many inmates own shares and trade on the stock market?

As recently as August 2016, the Deputy U.S. Attorney General announced that the Justice Departments contracts, with private prison operators, would cease because their facilities were less safe and less effective. We are currently witnessing these problems in Australia and New Zealand. Yet, it did not halt the benchmarking process in NSW of individual prisons or the market testing of John Morony Correctional Centre. Neither did the media reports of problems in the private prisons in Queensland or the launch of a Parliamentary inquiry into Parklea Prison.

Queensland and NSW private prisons were used to guide the benchmarking team. Or at least that is what we were told. We were given documents that set performance regimes identical to private prisons in NSW. Consultants were used because the Government wanted better 'value for money.' They determined we had too many layers of management, particularly, within the prisons.

An Assistant Commissioner, who was and still could be, on the board of directors of Knowledge Consulting Pty Ltd, with Keith Hamburger, has had a major influence on the benchmarking process. It is well known that Mr Hamburger was associated with the privatisation of Queensland prisons. In addition, he wrote the Hamburger Report in 2012 which led to a previous restructure of Corrective Services and refers to these layers of management. The Assistant Commissioner's name is located at the end of the report. It would appear that recommendations made in this report are still guiding decisions in relation to the current restructure. How does a private consultant who was involved in recommendations for restructuring Corrective Services become an Assistant Commissioner-Custodial, and then oversee benchmarking reforms?

We think your inquiry needs to be extended to investigate the benchmarking process, any conflicts of interest that possibly exist, as well as other identified matters. We request this, not only as public servants but as taxpayers as well.

In a democratic society one would expect that we have a voice in how and where our taxpayers dollars are spent. It is concerning that the current government keeps its own citizens and other elected Parliamentary members in the dark by using commercial-in-confidence agreements with global corporations to avoid scrutiny and spends millions upon millions of dollars for consultants while people working in the public service face job cuts, increased workloads and erosion of pay. This is not democracy in action but plutocracy. Unfortunately, it is usually the frontline staff who suffers the most, not the management who lack the skills needed to deliver an efficient service.

Instead, they get promoted or transferred to another public service department, maintaining their status. They can even stay in power as a public servant with a salary equivalent to an executive in the private sector, administering the performance regimes and contracts with multinational organisations, by using a model that keeps some power with the Government.. It would appear Parklea Prison operates on this model, as will the remaining public prisons, in the very near future.

Performance regimes are open to manipulation and ‘whitewashing’ in order to avoid scrutiny and penalties, at least until events occur that become public knowledge. This would seem to be the case with Parklea Prison.

We understand the Department needs to work more efficiently, however, the reason it doesn’t and won’t, has more do with the poor leadership and planning skills stemming from our head office than with workers in the jails. A steady decline in morale has occurred in all departments ever since Commissioner Severin implemented changes to service delivery that have been ineffective and allowed cronyism, with its entailing bully-ism, to flourish. Disregard for the frontline staff is normal. Rather than communicate **with** those who have years of experience working in prisons, they communicate **to** us. The end result is low morale, poor outcomes for offenders and millions of taxpayers dollars wasted! When these Executives leave the public service they will become ‘consultants’ hired by ‘Incorporated’ Governments and paid for by taxpayers.

We can substantiate these claims. We have written documents, including policies, that verify a constant breach in ethics, the GSE Act, workplace safety legislation (including blatant bullying) and breaches of Industrial Awards as proof. We can show policies that will prevent us from meeting benchmarking targets. Furthermore, we have documents that indicate we have made several efforts to address issues with the executives and senior managers, to no avail.

IDENTIFIED ISSUES WITH BENCHMARKING

Stand Alone or De-clustering of Prisons

Each prison has been allocated targets it will be required to meet. The General Manager or Manager of Security (depending on security level of the prison) will be responsible for ensuring this happens, otherwise penalties will be issued. We have been told if we cannot meet the targets after contracts are signed, we have an opportunity to renegotiate. More money wasted as proper benchmarking would have examined the capabilities and infrastructure of each prison on its own merits, before comparing it to a privately operated one.

Each individual prison was given a three month period to identify risks that will prevent achieving the set targets. We were limited to only identifying the risk as low or moderate, even though some are extremely high. The purpose of doing this is unclear because what did get rectified prior to the contracts being signed was minimal. For example, a building used for Education has been considered unsafe for a long time. The General Manager has submitted business plans for the building to be replaced, to no avail.

Safe Work NSW seems to be reluctant to investigate complaints made by staff working in dangerous public service environments. In addition, making notifications can have dire consequences for workers as they will usually endure victimisation by management.

The Commissioner, Assistant Commissioner, Executives and Senior Managers will no longer be held responsible for what happens in stand-alone prisons. The General Manager and their senior management, along with their staff will be held to account. For example, if a death in custody occurs, the General Manager will be penalised, resulting in a negative flow on effect to all those working within that gaol.

This is regardless that head office has ultimate control because they produce the policies and procedures we are bound to follow, whether these policies and procedures are conducive to good outcomes or not. Additionally, many prisons now have reduced staffing levels on a par with privately operated prisons making them less safe for both Officers and inmates.

Individual departments within the prisons are expected to work together to achieve outcomes. This is despite some departments not being de-clustered, others subjected to alternative reforms, and Justice Health being a speciality network. Furthermore, these departments usually have different governance, reporting obligations, policies and priorities, with new models in the process of implementation. This is where the layers of management exist, not in the prisons. A lack of good communication between departments has caused numerous problems over the years. It seems that this is still occurring as a result of the benchmarking process not thought through properly.

Additionally, there are other Departments within Corrective Services that have had no reforms. They remain as they are.

The departments benchmarked together:

- Offender Services & Programs (OS & P)
- Psychology
- Custodial
- Corrective Services Industries (CSI)

Alternative reforms:

- Community Corrections
- Education (now part of CSI)
- Administration
- Classification & Case Management (new reforms still being trialled in two locations even though planning reforms began well over a year ago)

Some prisons contain special programs (list is not inclusive of all special programs):

- Mother & Children's Program - Emu Plains CC (Included in OS & P targets and staffing levels, yet is considered a special needs program, completely separate from the rest of the prison with different job descriptions and no requirement to participate in the same tasks to meet OS & P targets)
- Intensive Drug & Alcohol Treatment Program - Outer Metropolitan Multi-Purpose Centre & Dillwynia CC (separate targets from the gaols)
- High Intensity Programs Units - various locations (separate targets from the gaols)
- Work Release – various locations (included in custodial targets)
- Violent & Sex Offenders Programs Long Bay CC ((separate targets)
- Mental Health Screening Unit (part of Silverwater complex)

Departments not de-clustered:

- Psychology
- Offender Services & Programs (OS & P)

Prior to the Hamburger Report 2012, departments and prisons were not clustered. It was the first major restructure, led by Commissioner Severin, following recommendations from Mr Hamburger. It has been a dismal failure in more ways than one, hence the current de-clustering of the prisons. Yet, they are keeping Psychology and OS & P clustered without considering the ramifications it will have long term or the cost effectiveness of this model. Instead, stand-alone prisons are left to deal with a complicated mess.

Clustered departments work under a 70/30 model. This means that 70% of their work time is allocated to custody, the remaining 30% to Community Corrections offices located in the community, within their cluster. There are major problems with this time split. Custodial budgets provided by the benchmarking team combine both departments together under 'Summary of Costs' with no provision for this split, yet we are told Community Corrections pays for the 30% allocated to them. A sum is provided for yearly cost totals for Service/Programs Custody. Work done in the community does not go towards benchmarking targets in the gaols. Privately operated prisons do not have the same issue with clustered departments. Questions raised by concerned staff have not been answered because no one seems to know the answer.

It is unclear how the monetary costs of this split will be implemented and monitored. Psychology is required to spend 30% of their time in a community corrections office providing 1:1 interventions. OS & P are required to facilitate EQUIPS programs in these offices. Some of this time would be spent travelling, often in heavy traffic, to Community Corrections offices that can be some distance away, for example: Long Bay to Campbelltown and back.

Both departments are managed independently from Custodial. They each have different governance, reporting requirements and policies. Program delivery both in custody and the community is considered a priority by OS & P management. As a result there has been an overlap of using custodial settings to complete tasks from the community and vice versa. For example, assessments administered for program purposes are often returned to a custodial setting in order to complete data entry due to a lack of available computers in the community or length of time it can take to take to complete this task. Preparation, such as reading police facts, photocopying or reading of module sessions is often done in the gaols prior to leaving for the community. How is a General Manager expected to manage a budget when OS & P are using the gaols equipment and time for community work?

OS & P Management has no qualms asking a worker who is already spending many hours in the community to step in to fill the gap when unexpected or planned absences occur, leaving a gaol with a shortage of OS & P staff. This happens repeatedly and will clash with achieving program and other targets in custody. Yet, the benchmarking team has put the emphasis on the General Manager or Manager of Security to achieve targets, within their prison, otherwise penalties will be incurred, when they have no control over decisions made by line managers from clustered departments.

VALUE FOR MONEY?

For the last few years OS & P have been required to attend the community for the delivery of EQUIPS programs which consist of twenty two hour sessions, occurring over a ten week period, four times a year. They are either scheduled for the afternoon or evening.

Community Corrections offices designated to a cluster for the purpose of OS & P and psychology can require excessive travel time, particularly, in country areas. City traffic can impede travel time. For example: the travel time to Campbelltown from Long Bay can take at least 2 hours in peak hour traffic. OMPC to Parramatta can take at least an hour.

There are limited agency cars available to meet travel requirements. OS & P and Psychology are expected to either use their own cars, at their own expense or get a cab charge card from a line manager. This poses a problem in itself, as clustered workers are usually not in the same location as the Manager who can provide the cab charge. Some Managers are reluctant to issue cab charges or don't restock them. They prefer facilitators using their own transport. There have been times when a worker has had to pay for a taxi and get reimbursed at a much later date because their car is unavailable, petty cash doesn't exist and cab charges are unavailable. Public transport is not an option in many locations.

A cab charge from Long Bay to Campbelltown and back can cost approximately \$300 or more if there is heavy traffic or an accident (a common occurrence these days with the volume of vehicles on the road).

Corrective Services expects workers using their own cars to submit an 'Authority to Travel' form each time. The purpose of this form is unclear even though it wants to know insurance details. Using one's own car to travel from one work location to another for business purposes actually breaches the conditions of their private use registration and any other insurance they have. What happens if they have an accident and want to claim injuries (workers comp)?? What happens if they are at fault and the insurance company voids their claim because the car was used for undeclared business purposes?

The OS & P Executives, Senior Managers and Senior Services & Programs Officers have been made aware of this issue, more than once and not addressed it. If anything, Senior Services and Programs Officers use their own cars to set a good example with management, and then expect other OS& P, who are on a lesser grade of pay, to do the same. Failing to follow this direction will result in being called to a meeting with more than one senior manager present, without procedural fairness being followed.

There is often insufficient parking available when one arrives at the community locations. Time is spent locating paid parking of some sort. The worker can then claim the expense back through head office which involves filling in more forms. Reimbursement can take two months or more. Many OS & P are stretched financially due to rising electricity bills, tolls, child care and numerous other expenses, without needing the added burden of paying for road wear on their cars and tyres, petrol, taxis, parking fees and more tolls.

OS & P are expected to travel from one work location to another for unprofessional supervision and program development twice a month for several hours, once again, using their own car, if no agency vehicles are available (common occurrence). It is unclear whether this has been included in the 70/30 split.

Work allocation models for Community Corrections Officers include group facilitation. However, they do not deliver EQUIPS programs within their centres, only the Sober Driving Program.

The Department has hired numerous external facilitators to deliver programs in the community rather than relying only on OS & P staff. The externals were trained in the EQUIPS programs, however, received no security and safety training. Nor were they trained to work with offenders who are often resistant to community interventions. They can be scary to those not familiar with them, making them more susceptible to their manipulations. Some externals have gone weeks without pay, with little support when they complain. As contractors they have few rights.

Externals cannot access TRIM or OIMS databases where information is stored and recorded. Nor were they given adequate resources for the EQUIPS programs. The admin and preparation work required is primarily done by OS & P Yet, external facilitators are paid for 2 hours preparation time prior to each session at \$80 an hour. In total they make \$6400 for each 20 session program completed. How has this been monitored for value for money?

When OS & P are rostered with an external they have little opportunity to meet them before the program commences. They are expected to work with a complete stranger without any knowledge of their skill level. This fact alone can affect group dynamics resulting in poor outcomes for the offenders. In addition, the qualifications of some of these externals are a concern and needs to be reviewed.

The Program Development Unit is in charge of implementing the use of externals. The project was poorly planned and administered. After numerous complaints from OS & P and the externals they are attempting to address some of the resulting problems (damage control). In addition, this department does not provide the support needed for OS & P, such as updated group manuals and replacement resources when they become worn or lost.

The department is too focused on statistical outcomes rather than the quality of the programs (bums on seats). They want a 60% completion rate. As a result, Workplace Health & Safety Legislation is ignored. Keeping offenders in programs regardless of how they behave is more important than the safety and well-being of the facilitators.

EQUIPS Programs have not been evaluated whether they are effective reducing offending. Yet, they are the main focus of program targets for custody and the community. Please refer to Auditor's General Therapeutic Programs in Prisons Report dated May 2017.

When programs are scheduled in the evening, the facilitators can be left alone with up to 18 or 20 offenders they don't know. The current policy states 16 maximum (which is excessive, in custody 12 is maximum and more security is available), yet management deems it acceptable to constantly give OS & P lists with up to 20 names for the first session and they are expected to manage this excessive number if all attend (does happen). Managements rationale is some will not commit to the program.

Women OS & P facilitators have been threatened with rape and the men have been threatened with physical harm. When incident reports are written, which isn't very often because most facilitators have never been trained to write them, they are not reviewed effectively. If anything, management tries it's hardest to keep this information from other facilitators. Consultation never occurs, as mandated by WHS legislation, and safety is never improved. Threats of sexual and physical harm are minimised and often not documented.

Mandatory attendance of Program Development once a month is required for OS & P facilitators. Raising issues of safety, lack of resources, issues with externals or anything else increasing the stress for facilitators is pointless. Instead, the focus is on improving delivery of program content regardless of any mayhem occurring around them!

Offenders can have a history of violence, severe mental health issues and substance abuse. They show up intoxicated and under the influence of methamphetamine. They get aggressive. They get verbally abusive. Disruptive offenders dominate. They are hard to manage. Facilitators are expected to control the risks and deliver the session by the book!

Community Corrections Officers never see offenders on their own when the building has emptied of staff. They always have back-up and are better trained to evade danger, yet the facilitators are expected to do so, without any safeguards!

Many facilitators tolerate bad behaviour because they are too fearful of the offenders to set limits or they don't want to be seen as incompetent by senior staff or they want to impress management by getting completion rates, this is certainly the case with the externals. The end result is we are not reducing offending but reinforcing it.

To compound safety issues, sentencing and community corrections reforms means an increase in high risk and national security offenders can be and will be allocated to an EQUIPS program in the community. Manifest Injustice is returning more offenders gaoled for breaches of orders back into the community, increasing the need for Psychology and OS & P to provide interventions to them.

Safety and security risks are never done with the facilitators, prior to the commencement of a program, only with the Managers of Community Corrections and OS & P Managers. Most of these Managers have never delivered programs to offenders, nor have they ever been left alone at night with up to 20 of them. If they have, they have been fortunate enough to have had no critical incidents or else colluded with management to minimise them.

The only security provided in Community Corrections Offices at night consists of a duress alarm. When pressed it goes to a private security contractor, who then usually contacts the home or mobile of the Community Corrections Manager, not the police. At times, the security contractor will contact the location where the alarm was activated. A worker has to be available to answer the phone for when someone responds. By then someone could be seriously injured. To circumvent this lack of safety the facilitators have downloaded the triple zero emergency app onto their own personal mobiles. However, this would only be effective providing one of the facilitators is still alive and able to let the police in the building. Automatic time locks can prevent this and many offices are not on ground level.

Evidence of poor comprehension of workplace legislation by the Assistant Commissioner who oversees programs is evidenced in NCAT James v Department of Justice, Corrective Services NSW [2017] Report. The department was fined \$20,000. This substantial fine would have been paid by taxpayers and has not improved conditions for workers.

Factors contributing to poor attendance and outcomes include: management ignoring their own policies, poor Community Corrections supervision, and lack of proper support for staff, inadequate suitability assessments, no clinical supervision, poorly trained facilitators and disempowering staff from decision-making.

EQUIPS DOMESTIC VIOLENCE PROGRAM (DAP)

There is not an overwhelming amount of evidence that suggests the Duluth Model, used as a basis for this program, is effective reducing domestic violence, particularly with culturally and religiously diverse men that are often required to attend this program. It was developed in an area of the United States with different ethnic, indigenous and religious communities than to what we have in NSW.

Delivery of the EQUIPS Domestic Violence Program fails to meet the NSW Department of Justice Minimum Standards for Men's Domestic Violence Behaviour Change. This is a major concern. The NSW Government informed the public that reducing domestic violence was a priority. Money was allocated to Corrective Services to increase domestic violence programs. This led to the hiring of external facilitators. Yet, our own Department seems more interested in statistics (bums on seats) rather than good outcomes (reducing offending). As a result, the victims are forgotten!

Ineffective delivery of programs can contribute to poor outcomes for both the offender and his victims. Please refer to the Standards for more details of each standard listed below that are not being followed)

Standard 1.1: Program providers will develop and operate from written procedures that address risks to women and children (only a small percentage of women at risk are being contacted and followed up, yet perpetrators still participate in the program).

Standard 1.7: Group facilitators and partner support workers will have appropriate knowledge and training about the impact of domestic and family violence on women and children (Training for OS & P & external facilitators consists of training in a ½ to 1 day of EQUIPS Domestic Violence Program by the Program Development Unit. They seem unaware these standards exist).

Standard 3.1: Group facilitators must have relevant knowledge and training (knowledge and training is provided by either Brush Farm Academy or EQUIPS DAP trainers, neither is intensive or includes mentioned standards).

Standard 3.3: Group facilitators must undertake supervision (the supervision model the department has is dismal and completely ignores this standard. More evidence can be provided if needed).

Standard 3.4: Program providers will develop policies to ensure that group facilitators undertake ongoing professional development (once EQUIPS DAPS training is completed facilitators are not required to update their knowledge and skills in relation to domestic violence).

Standard 3.5: Behaviour Change Group Programs will have duration of at least 24 hours over 12-weeks (EQUIPS Programs sessions are a maximum of 40 hours usually across 10 weeks. An explanation provided by a Senior Manager was “the offenders can’t cope with programs longer than 20 sessions”).

Standard 3.6: Program providers will complete an operational review of each program focusing on process and content (No operational review occurs.)

There are limitations to how well the other standards, not referred to above, are followed. Facilitators are never made aware of these standards and there is strong evidence the Program Development Unit and Senior Management overseeing programs, either are unaware of their existence, or ignore them for statistical reasons.

COMPETITION FOR INMATES & CONTRADICTION POLICIES

It would seem from the evidence provided below that the benchmarking team did not take into account factors that will have a negative impact on stand-alone prisons meeting targets in regards to inmates completing programs. If they did, then they set targets knowing they were unachievable. Another possibility is they relied on what head office expected rather than investigating whether those expectations were based on lofty ideals, instead of the realities of what actually occurs inside prison walls.

Competition will occur between goals for inmates to meet targets. At the same time, many inmates selected for Special Programs, EQUIPS programs, Education and CSI will be released sooner than anticipated because of appeals, and the reinstatement of Community Corrections Orders, interfering with proposed targets.

In November 2017, manifest injustice legislation was introduced for Community Corrections Officers working with inmates in custody that have breached community orders. As a result, they have new protocols to follow. Simply put, there will be less inmates remaining in custody on breaches to serve out the remainder of their sentences. They are being returned to the community for further supervision. These inmates used to account for a large portion of inmates participating in EQUIPS programs and would meet the eligibility criteria for the HIPU’s. However, the State Parole Authority can release them prior to the expiry of their sentences whether they are participating in a program, education course or working for CSI. This will affect outcomes needed for targets.

The High Intensity Units are a new project aimed at reducing offending amongst inmates that pose the greatest risk of reoffending, who have shorter sentences and don't meet the criteria for longer term programs, such as IDAPT. The emphasis is on inmates who would not participate in programs due to shorter sentences. They are currently being implemented across ten locations. They were planned by the same Executives and Senior Management that have a poor track record reducing offending and oversee the 70/30 split. Extra staff were employed months before they opened due to extended delays. The eligibility criteria changed numerous times during this period. The criteria for men and women have noticeable differences. As of this writing, some are still not operating at full capacity due to poor organisational and planning skills stemming from head office.

For women inmates, the main criteria are a sentence of 4 months or longer, and up to 15 months, providing they don't meet the criteria for IDAPT. The CRES scores listed on the eligibility criteria are there to appear as if there are more criteria than there actually is. They are fairly meaningless in practise, with most staff not knowing what they actually mean. The men's eligibility criteria are more aligned with existing policies, whereas the women's aren't.

This lack of eligibility criteria for women's HIPU's has the potential to cause major problems for stand-alone women's prisons. To meet program targets prisons are expected to follow the stringent and inflexible eligibility criteria stated in program policies. These policies have impeded inmates from participating in programs, for the last few years and will continue to do so. There is a very strong possibility that very few programs will eventuate in some prisons. The end result will lead to privatisation for failing to be cost effective and meeting targets. And once again, it will be the frontline staff, inmates and taxpayers, who will suffer the impact of decisions made in head office.

Program policies are a one size fits all custodial settings. This is despite that prisons have different security levels and populations, some have special programs, and the prison population is transient.

For example, the OMPC is a minimum security prisons with an average population of approximately two hundred eighty. Some of these inmates would be on work release programs, while others are in the IDAPT program. Inmates transferred to a minimum security prison could have completed EQUIPS programs, whilst imprisoned in a higher security facility. Furthermore, two poorly designed new wings were closed because of the use of hazardous building materials. Competing programs, infrastructure and inmate transfers will reduce the number of inmates eligible for EQUIPS programs.

Dillwynia has a similar population to OMPC and is classified as a medium/high security complex. They house remands, secure management and protection inmates (SMAP), and sentenced. Remands, though housed with sentenced inmates, cannot participate in EQUIPS programs and SMAP inmates cannot attend programs with the general population, thus reducing eligible inmates. IDAPT, HIPU, and work releases programs further reduce the

numbers. Other eligibility criteria can reduce numbers. Yet, the policy states a program cannot begin unless ten **eligible** inmates are available when a program is scheduled using a planner, with four semesters, provided by head office that completely clashes with the transient prison population. The planner is more suited to a community organisation or university campus! Why wasn't this planner evaluated for effectiveness by the benchmarking team?

Emu Plains, a minimum security women's gaol, have an average population of one hundred and eighty inmates. Remands and sentenced are housed together. Besides the Mother and Children's Program, there is a works release program. Numerous inmates are serving short sentences for breaches of community orders that will get reinstated before or shortly after a scheduled program is due to commence. Inmates have conflict with other inmates and are transferred to different gaols. Many inmates are pregnant and need continuous medical supervision, at times in a hospital. The benchmarking team did not take any of this into account when setting targets for completion rates of programs, education and CSI.

Inmates are required to have a current Level of Service Inventory-Revised (LSI-R), with a score of medium and above to be eligible for EQUIPS programs and IDAPT. The LSI-R is an assessment used to determine offending risks and needs level of offenders. Scores consist of low to high. In addition, for EQUIPS Addiction and IDAPT, a LSI-R AOD score of 5 out of 9 or above is needed.

(This requirement for programs has been waived for the women's HIPU's, a good example of how head office ignores their own policies when they want to, demonstrating a capacity for unethical, inconsistent work practises and poor leadership).

We have been told by head office that research shows mixing low risk offenders in programs with higher risk ones can have a negative effect on the low risk. This would make sense if the inmates were segregated from each other based on risks. However, they're not. They live and work together. Exposure to negative effects is already occurring and on a larger scale than if they spent a few hours in a program each week. This application of research would be more suited to offenders in the community. In addition, many of the high risk offenders once rated low.

Community Corrections is assigned the majority of LSI-R's to complete, with the remaining few to be completed by OS & P. This will change when the new case management model is fully implemented. Case Managers will do the ones assigned to OS & P No time frame for implementation of the new model has been provided. Yet, performance regimes include it.

LSI-R's are time consuming and have a time frame for completion of three months. OS & P can manage this providing they can access the background information they need to complete a thorough assessment. This is not always possible because Judges Sentencing Remarks, criminal records and police facts have to be obtained from the Courts through Sentence Admin. This can take longer than three months.

Community Corrections Officers working in the gaols have heavy workloads, including pre-sentence and State Parole Authority reports that are required to be completed by set dates. With the implementation of 'manifest injustice' their report writing has increased. Reports take priority over the LSI-R's expected to be done within three months.

Executives and Senior Management that set KPI's for completion of LSI-R's a few years ago had no awareness of what is actually involved or the conflicting priorities between departments. If they did they would not have set KPI's of LSI-R's based on completion rates in three months. This is a perfect example of management not understanding the intrinsic nature of day to day work on the frontline. Instead, the frontline staff becomes the focus for failing to meet KPI's. The benchmarking team are guilty of doing exactly the same.

Remand inmates that receive custodial sentences are not eligible for EQUIPS programs till an LSI-R is completed. Short sentenced inmates are often due for release by the time one is completed. Inmates with a score of medium and above, with an AOD of 5 or more and a sentence of 7 months or more, are referred to IDAPT. Inmates that score medium/low, with an AOD score of 5, or above are ineligible for any EQUIPS programs, including Addictions, regardless of their high AOD score.

Another factor compounding program eligibility, are computer generated lists produced from head office identifying eligible inmates for programs. Since their inception these lists have proven to be ineffective. Yet, head office insists on using them, even with the new HIPU's.

In some prisons, data from these lists was collated onto data charts, in order to prove to head office that benchmarking targets could not be met using these lists when combined with programs policies. Some targets were reduced but not to achievable levels. To compound the problem of the unachievable benchmarking targets, the same managers influencing the benchmarking targets distributed a second set of targets, markedly different from the benchmarking ones! We were told not to worry about the second set of targets because we had to focus on the benchmarking ones. They were only done as part of the business plan they need to submit to the NSW Government. One has to ask: "what is going on here???"

The above mentioned factors that impede the ability for stand-alone prisons to complete program targets were not taken into account by the benchmarking team. All stand-alone prisons are expected to follow the program policies whether they are the South Coast Complex which houses hundreds of male inmates or smaller women's facilities. As a result, the targets set for the prisons were not based on existing evidence, though we were told they were!

Documented evidence, including the above mentioned graphs, can be provided indicating that OS & P have made efforts to address these shortfalls in the delivery of programs because of these policies, with the very same managers who created them, to no avail. These same managers, right up to the Commissioner, decided that in the women's prisons system, the

HIPU's are exempt from policy eligibility criteria, even though they deliver the same EQUIPS programs, whilst the remaining women's prison have to adhere to the policies!

THE NEW CASE MANAGEMENT MODEL

Similar to other new projects introduced by the Department over the last few years, it employed staff long before they were needed. The project had the usual delays due to poor planning in the initial and ongoing phases. The proposed model will not succeed due to some of the problems referred to in the previous section. Once again, millions in taxpayers dollars will be wasted.

These delays could have been avoided if they put project managers in place with proven experience and knowledge to implement such a large task. This is not what the Department does though. It tends to move staff into these roles with a track record of poor management, while blaming the frontline staff for failures. This appears to be the case with the HIPU's as well.

Blatant disregard for the GSE Act occurs and is still occurring, with incompetent and unethical staff being promoted or given professional development roles, based not on the capabilities framework, but on their capability to become part of the dysfunctional, autocratic culture.

OS & P, Psychology and Community Corrections policies contradict the effective introduction of this model. Once again, head office will attempt to rectify problems as they occur (damage control) and when they can't, more Consultants will be hired and another restructure will occur. The benchmarking team seems to have ignored any issues this new model would have on set targets, including the lack of infrastructure and resources needed in each prison for successful integration.

Programs, or the lack of, will have dire consequences for case management targets, particularly, with short sentenced inmates that do not meet the requirements for special programs, or the HIPU's. The case managers will be referring inmates to programs based on their LSI-R score and offending history. If there is no current LSI-R they cannot refer till there is one, and as we know, this could take three months or longer. Clashes with the pre-arranged semesters and the requirement to have at least ten inmates and two facilitators to begin a program will occur. If there are only eight eligible inmates, a program won't start.

There are many OS & P who are experienced delivering programs to smaller groups, without a co-facilitator. They have done this for years and organised programs based on the needs of the gaol. Head office, in all its wisdom, decided to disempower the facilitators and take complete control which has led to many inmates that would like to attend programs, not being able to and the introduction of the expensive HIPU's.

If an inmate is referred to a special program, like IDAPT, they can be placed on a waiting list. By the time a vacancy occurs, the inmate no longer meets the criteria because their release date is less than six months away. The case manager can then refer them to suitable EQUIPS

programs. Hopefully, one will commence before the inmate is released. If not, the inmate will then be referred to a suitable EQUIPS program in the community, providing they have reporting obligations post-release and a program occurs during this time.

An advantage for inmates attending programs while in custody is they can reduce any state debt by participating in work development orders. This has proven to be a good motivator and can reduce anxiety levels for inmates who are burdened by their debts. Community Corrections Offices don't provide this service.

Case managers will be referring inmates to psychology for 1:1 intervention. Psychologists have a heavy workload due to increased caseloads requiring additional admin work, chronic vacancies and expectations to service Community Corrections. In addition, psychology is required to follow a structure on how they engage with inmates. For example, an inmate with mental health needs is a priority over an inmate that case management refers for criminogenic needs.

The deletion of the Assistant Superintendent Custodial roles are resulting in many of these displaced career Officers being encouraged to apply for temporary employment as case managers, at a reduced grade, with less pay. The roles are temporary because it is a new project. It is difficult to be enthusiastic in this department in regards to new projects because we have witnessed to many fail. For these Officers, job security is very dependent on this model being a success. Their career prospects have been eroded.

Any efforts to advise the Case Management Project Manager, as well as other senior management, that successful implementation of this new model will clash with existing policies and procedures has been ignored.

LACK OF INFRASTRUCTURE

The benchmarking team failed to examine infrastructure and resources, within individual prisons, when setting targets and budgets, exactly as head office overlooked the need for agency vehicles when they created the 70/30 model. One has to ask will we be expected to cover the costs of computers and other equipment, as well, so that we can do our work?

Targets set for programs did not take into account the lack of group rooms in most prisons. This has been an ongoing problem for years. Facilitators are forced to use rooms utilised for other purposes, that can be the size of closets or excessively large with poor acoustics. Some rooms are dark and dreary. In some prisons the noisy intercom paging system can disrupt group activity constantly. Proper chairs and tables are scarce. The lack of space is such that it is impossible to deliver more than one of any program at the same time in some prisons.

Yet, the targets are expecting completion rates for at least two EQUIPS programs simultaneously and ignores other services that require group rooms weekly, for example NEXUS and Health Survival Tips.

New buildings have been built for some special programs to be able to deliver programs in a therapeutic environment but in the goals we have to make use of what is available. It is well known that the ambience of a room has an effect on participants during program delivery.

Head office, for budgetary reasons, supplies minimum EQUIPS resources to the facilitators. They don't supply pens, texters, butchers paper, DVD players or any other equipment needed to follow activities from the manual. They come from the prison's supplies and budgets. Restricted budgets have already made it difficult to access needed resources.

When networked computers, printers or phones fail, it can take days for them to be fixed impeding workflow. Faulty equipment that is noisy and difficult to use is not replaced until it completely crashes. It can take weeks for a replacement. A lot of equipment in use is getting very old. Budget allocations from the benchmarking team have not considered this. Yet, the market tested John Morony CC was able to afford to buy purple sheets for its inmates. Once again, one has to ask "what is going on here???"

There is a lack of office space in some prisons. Even with vacancies, the problem is apparent. The new case management model seems to have overlooked where case managers will work and what equipment is available for them in individual prisons. Most staff that have been displaced because of the restructure were shift workers that shared the same office space. A restructure of work hours, and a new case management team, means a need for more offices and equipment.

The benchmarking model has introduced a Monday to Friday work week for all the Custodials, not doing shift work because "this is when most of the work occurs." This is concerning in itself because we have prisoners around the clock. We are not an office building or bank that closes its doors at five o'clock sharp on a Friday afternoon!

Would a hospital stop Doctors from working on the weekends, expecting patients to remain stable and only have Nurses available to supervise?

Any new project that involves the building of new or the renovation of existing infrastructure has resulted in lengthy delays at the expense of taxpayers. For example, Mary Wade CC incurred numerous delays, with a full contingent of staff hired many months in advance. At the same time, delays were occurring across the state with other projects.

New wings in OMPC had to be closed when it became apparent materials that were used were a fire hazard. Design flaws were reported as well.

PSYCHOLOGICAL IMPACT ON STAFF

In some prisons where managerial or senior non-custodial positions have been vacant for long periods, staff with little knowledge of the benchmarking process have been allowed to 'act-up'. As a result, the frontline staff that identify local issues and want clarification have little means of getting it. It can be very time consuming and frustrating to seek answers to queries that have arisen.

The same applies when these same workers want to do the work asked of them, but are prevented by the lack of support available from their line managers and other departments, that haven't been benchmarked. Furthermore, they have no regards for the stress levels of the staff affected by the benchmarking reforms, treating them like 'androids'.

In addition, the benchmarking team appears to have used a performance measurement based on custodial staffing levels for all the staff working in a stand-alone prison. Non-custodial usually work 35 hour weeks, Monday to Friday. They do not work on public holidays. Other factors not considered were leave entitlements, including maternity, transfers to other departments, professional development (my performance), training, retirement, resignation, worker related injuries, staff shortages due to 'freezes', delays filling vacant positions and the 70/30 split.

Staffing levels, along with service targets for OS & P and Psychology in Emu Plains CC are combined with the Mother and Children's programs, without taking into account the differing tasks and workload. Staff delivering services to the inmates in the main gaol have a more varied role and a much larger case load, in addition to delivering programs and interventions in the community. This means the onus for reaching set targets will be on those working in the main gaol. Staff in the main gaol have to justify their existence, whilst Mother's and Children's don't. This is another example of poor leadership and inconsistent practises that prevail in Corrective Services.

Many Senior Custodial Officers are currently displaced and do not know if they will have a job tomorrow. Many had dedicated their lives to working for this department. They have financial commitments they no longer know if they will be able to meet. They are part of the layers of management that needs to be reduced and restructured using private prison models, while the layers of management remain in head office and have actually increased under the leadership of Commissioner Severin.

There are huge volumes of evidence that exist on the negative effects of stress. It is well known high stress levels lead to diseases of despair, cancer, heart attacks, strokes, relationship breakdowns, accidents, reduced work performance, depression, suicide and other detriments!

Yet, head office has scant regard for the staff who actually works with inmates. They are expected to cope with deaths in custody, assaults, threats, fires and serious self-harm, without

suffering from vicarious trauma or post-traumatic stress disorder. This has been evidenced in the last few years by the low ratings Corrective Services Management has gotten in the People's Matters Survey. The only people that matter are the ones in head office or in cluster senior or managerial roles who only have to deal with the aftermath of serious incidents.

Poor leadership equates to poor morale and high rates of sick leave. It is well documented that workers who feel valued and have leaders with integrity, produce better results than those treated like they are expendable androids! The Commissioner and his executive and senior staff fail to realise that 'actions speak louder than words'. They tell staff how valued they are constantly while their actions indicate otherwise!

The Department has a sick leave policy that is in breach of Industrial Awards. Furthermore, it adds to the Federal Government's Medicare costs. If a worker fails to adhere to the sick leave policy, they will receive warning letters! This is a really good example of Managers and Executives that have no empathy for the frontline. Instead, they make up rules as they go along without a capacity to look at the bigger picture, including the negative impacts of their decisions.

When they became answerable to the PSC for their poor management, they made superficial efforts to change. They held working parties for frontline staff to meet with them. They pretended to listen, while justifying many of their actions. Any recommendations management implemented afterwards was minimal. For example, newsletters are broadcast to inform us of what is going on with new projects. Awards are given to staff that have earned them. Neither addresses the lack of two way communication between the frontline and management. Issues still get raised and still get ignored!

UNANSWERED QUESTIONS

Why hasn't the layers of management in head office been benchmarked?

There are now more Executive and Senior Management than when Ron Woodham was Commissioner. The majority of them have either minimal or no experience working directly in prisons with inmates. Some bring with them academia and theories, while others focus on Neoliberalism ideals of 'free trade markets' that promote competition, hence the need for consultants. Neither translates well in practise when people are viewed through a textbook, or as statistics and commodities, rather than unique individuals. People are not 'androids'.

The Management that don't bring academia or Neoliberalism to their roles have had rapid advancements from frontline positions to senior roles because of relationships with those in power, without ever understanding fully the dynamics of working within prison systems. They adopt the academia or Neoliberalism approach in order to advance their careers. They all are dismissive of the frontline workers as they need them to blame for their failures.

The 'evidence based' programs delivered to offenders contain contents considered very important to implement positive changes in one's life. This means one has to take responsibility for one's actions and stop blaming society and others. Yet, our elected leaders set poor examples for these same offenders to follow by constantly blaming others for their own shortcomings, including us.

To clarify, the political parties in power constantly blame the opposition, rather than look at their own shortcomings, and addressing the problem at hand. The opposition then blames those in power! Meanwhile, major problems concerning the citizens of the State and Country stagnate or get worse. Commissioners, Executives and other Senior Managers then duplicate the blame game in their work practise.

Children constantly witness how our leaders behave and then think this is acceptable behaviour. When they grow up and break the law because they blame society for not doing more for them, they end up in gaol! Then the staff on the frontline are delegated with the task of getting them to change their attitudes to prevent further reoffending! Yet our very own head office and Government shift the focus onto us when re-offending rates are not being reduced!

How applicable is Noam Chomsky's quote referred to at the beginning of this submission with the threatened strike by train drivers?

Rather than address Government policies and ineffective leadership in the State Transport Authority of NSW, the railway workers have been presented as greedy and prepared to disrupt millions of people who depend on the trains, in order to get an unreasonable 6% pay rise. The business community and commuters got angry with the train drivers! The Minister and the Premier, with the media's help, focused on the train drivers as the problem. They failed to mention that with decreased funding, increased workloads, erosion of rights and pay, the train drivers were set up to fail! One has to wonder whether consultants were used to develop the timetables and rosters these workers are expected to follow.

Why has a Director of Knowledge Consultancy been appointed an Assisted Commissioner of Custodial with the Benchmarking portfolio?

His company was paid a large sum in consultancy fees. The Hamburger Report 2012 was implemented by Commissioner Severin, shortly afterwards. Reforms made following recommendations have failed. The clustering of prisons and other departments has not been successful. They have caused low morale, increased workloads, less support for staff, and breaches in Workplace Health & Safety and Employee Awards. Yet the new reforms led by this Assistant Commissioner, only de-cluster the prisons turning them into pseudo-private ones, and then expecting them to meet targets that include these clustered departments, without considering the negative impacts of the 70/30 model. Once again, it is the frontline staff enduring the stress of these reforms, not the decision-makers that caused numerous blowouts in costs which continue.

Numerous roles were created and filled for the sole purpose of benchmarking, under the direction of this Assistant Commissioner. How cost effective can this be when wages are paid to a whole new contingent of staff to replace those displaced by a restructure? How many actually understand the complexities of the prisons? It would seem that very few do, otherwise the process would have been done thoroughly and not based on a computer generated desktop analysis of the prisons only. All of head office and its policies would have been included.

Was this really benchmarking or a guise from the NSW Government to privatise prisons by stealth and how much is it costing?

With all due respect, we hope that this submission will enable Parliamentary Members to expand your inquiry to include Corrective Services. Taxpayers, many of them negatively impacted by this benchmarking process, have a right to stop the wastage of their money so that it can be used towards efficiently operated Public Services that help people, rather than dehumanise them. Identifying problems that cause public services to become a burden to taxpayers, without the hiring of expensive consultants that favour privatisation models, is important and necessary for the democracy of this country, which in recent years has become more and more flawed.

We are of the opinion that the benchmarking process has not been done properly or based on existing research for effective benchmarking practises. Nor has it been fair. It has allowed the same Executives and Senior Managers that have caused cost blow-outs to influence the process whilst ignoring the voices of the staff who deliver services directly to offenders and inmates.

What has been interesting and concerning with the benchmarking process is there has been very little mention of reducing offending. The focus has been on performance regimes and targets for completion rates. In other words, statistics! Our offenders have become 'androids' just like us!

Thank-you for taking the time to read this submission. Clarity can be provided if needed.

Written on behalf of all Corrective Services Officers, both Custodial and Non-Custodial, working within the prisons.