

**NSW GOVERNMENT RESPONSE TO THE COMMUNITY JUSTICE  
COALITION NSW STATE ELECTION 2015 PRISONS  
QUESTIONNAIRE 2015**

**1. Effectiveness of imprisonment**

- i. *Will you commit to introducing and funding an approach to justice investment that is based on ongoing, high-quality, research of the causes of crime and recidivism?*
- ii. *Will you commit to giving local and community agencies a greater role in the implementation of diversionary and post release restorative and therapeutic programs?*
- iii. *Will you commit to addressing causes of crime in 'law and order' campaigns through funding and implementing positive programs that also have regard to the health, education, disability, welfare and housing systems?*
- iv. *Will you commit to supporting sentencing reforms for reduced sentences and parole, including the removal of mandatory sentencing?*
- v. *Will you commit to increasing investment into diversionary social crime prevention such as problem solving courts and diversionary schemes including the Drug Court, MERIT scheme, section 32 and 33 applications under the Mental Health (Forensic Provisions) Act 1990 (NSW) and youth justice conferencing?*
- vi. *Will you commit to restorative justice and social support measures for prisoners in addition to ICOs involving mandatory participation in rehabilitation and education programs?*
- vii. *Will you commit to ensuring the funding and implementation of key services for prisoners prior to release through proper case management, which includes education, training, housing and mental health services?*
- viii. *Will you commit to ensuring flexible and coordinated support from mainstream agencies, specialist disability services and Aboriginal services involving communication, transparency and consultation between Corrective Services, Justice Health, NSW Health, Ageing, Disability and Home Care (ADHC), Housing NSW, Community Services and the NGO sector to facilitate adequate and appropriate support, including financial support for prisoners post release?*
- ix. *Will you commit to increased funding for post release, rehabilitation, probation and parole services, and to monitoring these programs to ensure that they comply with prisoner needs?*

**Response:**

The NSW Liberal & Nationals Government's priority is the safety of the NSW community. This is why we are investing in evidence-based programs that break the cycle of crime. We will continue to evaluate and refine programs targeting substance abuse, violence, and sexual offending to ensure they are delivering the best possible results.

The NSW Government welcomes the involvement of local and community agencies in diversionary and post-release integration programs and will continue to support programs such as CREDIT and MERIT. We are open to

exploring further possibilities for greater involvement and collaboration with Non-Government Organisations.

The NSW Liberal & Nationals Government recognises that sentencing laws need to be consistent, simple and in line with community expectations. We will not compromise community safety and will continue to drive reforms that see serious criminals appropriately punished for their crimes.

The NSW Liberal & Nationals Government is committed to supporting diversionary programs that deliver results as demonstrated by the Government's introduction of the Sydney Drug Court and continued support of the MERIT program which operates in 65 Local Courts.

The NSW Liberal & Nationals have reformed the Forum Sentencing program to increase victim participation and improve effectiveness of the program. We have also introduced two new programs, Youth on Track and Life on Track, which have a clear focus on reducing re-offending by addressing the causes of offending and providing prisoners with necessary social supports.

The NSW Liberal & Nationals recognise that poor literacy and high levels of unemployment have a direct bearing on reoffending. Furthermore the NSW Government has invested \$4.7 million in Intensive Learning Centres to help prisoners attain nationally accredited certificates.

In addition to boosting pre-release services the NSW Government has invested \$17 million through its Funded Partnerships Initiative for transitional support services. The funding will ensure that a range of transitional support services will be provided to more than 1,000 offenders each year.

## **2. Bail**

- i. Will you commit to amending the Bail Act 2013 (NSW) to reintroduce a uniform presumption in favour of bail for all offences?*
- ii. Will you commit to restoring to section 3 “Purpose of the Act”, the need for “regard to the presumption of innocence and the general right to bail”?*
- iii. Will you commit to eliminating the ‘show cause’ requirements in relation to the most serious offences?*
- iv. Will you commit to deleting, in relation to a bail assessment, the words in s 18(g), “whether the accused person has any criminal associations”?*

### **Response:**

Following concerns that some bail decisions were not reflecting the NSW Government’s intention that the safety of the community, victims and witnesses was at the forefront of all decisions made on bail, the Government asked former Attorney General, John Hatzistergos, to review the existing laws.

The Government accepted the recommendations of the Hatzistergos review and the NSW Parliament passed amendments to the Bail Act 2013, which commenced on 28 January 2015.

Key changes include:

- Under a revised test, an accused considered an ‘unacceptable risk’ will be refused bail;
- For serious offences, the onus will be on the accused to ‘show cause’ that their detention in custody is unjustified;
- In addition to meeting the ‘show cause requirement’, serious offenders will still be refused bail if found to be an unacceptable risk;
- New risk factors will be assessed including, links the accused may have to organised crime, their history of compliance to bail conditions, and victims’ views on their safety

The NSW Government believes these reforms strike the right balance between individual liberty and community safety. The reforms are modelled on Victorian and Queensland Acts, both of which have risk assessment models. The Government will be guided by further advice from the Sentencing Council and Judge Hatzistergos, who is due to deliver a final report on bail in June 2015.

### **3. Indigenous Issues**

- i. Will you commit to adequately, and perpetually, fund the Aboriginal Legal Service's (ALS) Custody Notification Service (CNS) (a mandatory scheme provided for under NSW Law, following the arrest of an Aboriginal person), which currently receives no State Government funding)?*
- ii. Will you commit to providing funds for community correction options to increase the opportunity for Aboriginal persons to participate in diversionary programs, and thus combat the mandatory imposition of custodial sentences on Aboriginal people?*
- iii. Will you commit to legislative reform requiring judicial officers to consider factors of Aboriginal disadvantage in sentencing, overturning the High Court's decision in Bugmy, and thus combatting issues of overrepresentation for Aboriginal people?*
- iv. Will you commit to providing internal, external and transparent oversight of the use of Taser guns by police to address the issues identified in the High Court's decision in Bugmy?*
- v. Will you commit to promote nationally binding targets for reducing incarceration rates, with a particular emphasis on 'closing the gap' between Indigenous and non-Indigenous Australians, through increased resourcing of diversion, rehabilitation and treatment options; a focus on strengthening family groups; support for models such as the Victoria Koori Courts; and facilitating the transition from prison to the community?*
- vi. Will you commit to research which differentiates between Indigenous and non-Indigenous prisoners and ensure that incarceration prevention, treatment and rehabilitation interventions are culturally sensitive, evidence-based and appropriately evaluated (ie taking into account diabetes, renal failure, mental illness and substance abuse)?*
- vii. Will you commit to expanding the role of Aboriginal Community-Controlled Health Services (ACCHS) in providing culturally appropriate health care to prisoners incorporating a focus on both health and community?*
- viii. Will you commit to investigating new methods for recruitment and retention of correctional services staff of Aboriginal and Torres Strait Islander descent?*
- ix. Will you commit to providing greater and more flexible visitation rights for Indigenous community members?*

#### **Response:**

The Custody Notification Service is provided by the Aboriginal Legal Service (ALS) and funding of the ALS has historically been the responsibility of the Commonwealth. The NSW Government welcomed the Commonwealth funding provided in 2013 and calls on the Commonwealth to continue funding it into the future.

The NSW Government is concerned at the proportion of Indigenous people who are presently in custody, and will continue to review policies which target reoffending, as well as programs that divert minor offenders from prisons and into rehabilitation.

In 2013 we launched the NSW Government Plan for Aboriginal Affairs, “Opportunity, Choice, Healing, Responsibility, Empowerment” (OCHRE). It focuses on education, employment and improved service delivery to tackle the root causes of Aboriginal disadvantage.

We are transforming the Kariiong Correctional Centre into a specialist prison to deliver a program that targets literacy and numeracy, employment skills, anti-social thinking and substance misuse for Indigenous offenders.

We have also established the State’s first Youth Koori Court and we will closely monitor the progress of the program which if successful, may be expanded to other locations across the State.

The NSW Liberal & Nationals Government has also established a Corrective Services Aboriginal Advisory Council. The Council consists of a panel of experts in health, mental health, social welfare, criminology and the law, and with intimate knowledge of country, language, art and traditional customs. The Council, will advise the Government on the development and implementation of future programs which target reoffending.

The NSW Government has also endorsed the *CSNSW Strategy for Supporting Aboriginal Offenders to Desist from Re-offending* which aims to increase Aboriginal participation in educational programs and program completion rates.

## 4. Women

- i. *Will you commit to implementing policies that recognise women prisoners have particular needs that differ from those of male prisoners?*
- ii. *Will you commit to implementing policies that recognise women prisoners have particular needs that differ from those of male prisoners?*
- iii. *Will you commit to implementing policy that sets targets for the reduction of women prisoners?*
- iv. *Will you commit to implementing policy and services that support the establishment of appropriate community services for women offenders which will enable courts to divert women to participate in community programs and services as an alternative to imprisonment?*
- v. *Will you commit to identifying strategies to support Aboriginal women serving sentences in the community, as alternatives to prison, strategies that specifically cater for the family, and other needs of Aboriginal women?*
- vi. *Will you commit to implementing policy that recognises women prisoners have dependent children issues e.g. Mothers and Children Program at Jacaranda Cottages, Emu Plains?*
- vii. *Will you commit to establishing alternatives to the Mothers and Children Program that cater specifically for Aboriginal mothers in prison and incorporate the extended Aboriginal family?*
- viii. *Will you commit to implementing policy and services such as transport from local stations and extended hours which facilitate visits to women prisoners by their families, and especially by their children?*
- ix. *Will you commit to implementing policy and services that collect data on the outcomes of intrusive strip searches of women prisoners and which reduce the need for such searches by providing alternate means of scanning?*
- x. *Will you commit to implementing policy and services that provide adequate gender specific health care programs for women prisoners?*
- xi. *Will you commit to establishing and reviewing standards to assess the proper provision of health services for Aboriginal women in prison, including adequate access to immediate medical and dental services and adequate resourcing for appropriate psychological services.*
- xii. *Will you commit to implementing policy and services that meet the specific needs of women prisoners with disability and with mental health issues?*
- xiii. *Will you commit to implementing policies that ensure better access for women prisoners to drug and alcohol rehabilitation programs and support women's reintegration into the community?*
- xiv. *Will you commit to establishing an Aboriginal women's healing and drug and alcohol detoxification strategy which includes programs that address the underlying causes of drug use in Aboriginal women, and which are available to Aboriginal women before they come into contact with the criminal justice system?*
- xv. *Will you commit to implementing policy and services that meet the needs of women who have a history of suffering sexual abuse, trauma and other forms of violence?*
- xvi. *Will you commit to establishing Aboriginal identified counsellors that can work with victims of child abuse, especially child sexual assault?*
- xvii. *Will you commit to implementing policy and services that provide better employment opportunities for women prisoners, and better access to education and job training without having to accept lower pay?*

- xviii. *Will you commit to implementing policy and services that enable women prisoners to access a range of counselling services, education and training programs and other resources conducive to rehabilitation efforts, by providing computers in cells with controlled internet access?*
- xix. *Will you commit to implementing policy and services that provide support to women post-release, for example mentoring programs, training programs, housing support?*
- xx. *Will you commit to establishing a pre release program for Aboriginal women that is available to all Aboriginal women serving sentences in NSW Prisons?*
- xxi. *Will you commit to supporting the expansion of Aboriginal community based post release support programs designed for Aboriginal women, such as that coordinated by the Yulla Wirri Nurai Aboriginal Women's Post Release organisation?*
- xxii. *Will you commit to establishing a transitional centre for Aboriginal women being released from prison similar to that currently operating at Parramatta?*
- xxiii. *Will you commit to expanding the Probation and Parole service to include regional and metropolitan Aboriginal identified workers specifically for Aboriginal women?*
- xxiv. *Will you commit to exploring funding options to provide housing support to Aboriginal women immediately upon their release from custody?*
- xxv. *Will you commit to exploring the feasibility of establishing an Aboriginal Women's Healing Place, for Aboriginal women serving both minimum and maximum terms, with a site for Aboriginal women on remand, which would consider programs, visits, welfare services, post release, case management, counselling and health services?*
- xxvi. *Will you commit to establishing a community based support program for Aboriginal women in prison that can provide regular support to women in prison and provide linkages between women in prison and their families similar to the former Aboriginal Women in Custody Support Group?*
- xxvii. *Will you commit to establishing Aboriginal (female identified) counselling positions, specifically sexual assault counselling positions for women in Grafton, Broken Hill, Mulawa and Emu Plains?*
- xxviii. *Will you commit to conducting a similar study to 'Speak Out Speak Strong' examining the needs of female Aboriginal juveniles in detention?*

**Response:**

The NSW Liberal & Nationals Government is committed to providing programs and services for female offenders that meet their specific needs.

The NSW Government has invested \$3.8 million annually into the Intensive Drug and Alcohol Treatment program which covers 298 treatment beds, 50 of which are for female inmates. The Yallul Kaliarna Intensive Drug and Alcohol Treatment Program at Dillwynia Correctional Centre is an Australian-first prison-based rehabilitation program. Women whose lives have been dictated by addiction are given the opportunity to start again.

In recognition of the extensive histories of trauma among women in custody the NSW Government has also launched a new training program 'Trauma-Informed Practice' specifically designed for Corrective Services NSW staff.

The training package provides frontline staff with skills to better assist offenders who have experienced sexual and/or physical violence.

The NSW Liberal & Nationals Government has granted \$250,000 to the Women in Prison Advocacy Network (WIPAN) to provide mentoring services to women leaving prison to help them break the cycle of crime.

The NSW Government is committed to supporting and maintaining links between mothers and their children. The Mothers and Children's Program currently operates Jacaranda Cottages at Emu Plains and at the Parramatta Transitional Centre.

Access to video conferencing facilities and/or web platforms, regular monitored telephone calls and letters also ensure meaningful contact between inmates and their families are maintained.

We will continue to work closely with Health NSW to facilitate health services and programs for women in custody. Those women who experience disabilities will continue to receive tailored programs to suit their needs and disabilities.

Pre-release programs are available to all women prior to leaving custody. Aboriginal women leaving custody are also able to access the services provided by the Transitional Centre at Parramatta and the Bolwarra House Centre at Emu Plains, and the support of community-based Aboriginal Client Service Officers.

## 5. Juveniles in Custody

- i. *Will you commit to resourcing and implementation of effective early intervention programs, targeted at disadvantaged communities, such as the Aboriginal communities where youth are at high risk, addressing the causes of juvenile crimes and prevention of future detention?*
- ii. *Will you commit to a bipartisan approach to juvenile justice based on rehabilitation and diversion, which practices detention of young people as a measure of last resort?*
- iii. *Will you commit to supporting the reintroduction of Youth Drug and Alcohol Court?*
- iv. *If found to be successful, statewide implementation of the Youth on Track initiative?*
- v. *The development of policy strategy that supports a juvenile correctional framework, which promotes culturally appropriate rehabilitation integrated with family and broader communities? For example, a cultural day for trusted Aboriginal youth in the system as supervised by elder(s) without the attendance of juvenile justice officers may serve as reward for good behaviour.*
- vi. *Establishing and providing support services and programs focused on successful reintegration into the community and reduction in recidivism?*
- vii. *Special care and protection of juveniles' health in custody, particularly for those with disability or who cannot find suitable accommodation?*

### **Response:**

The NSW Government is committed to preventing 'at risk' juveniles becoming entrenched in the criminal justice system. The Early Intervention Framework has been developed to identify and intervene with at risk young persons to reduce their likelihood of becoming persistently involved in criminal activity, and to; identify and intervene with 'at risk' groups to reduce the incidence of juvenile criminality. The Framework includes programs such as Youth on Track, the Intensive Supervision Program, the Bail Assistance Line and Bail Support Positions.

Custody for young offenders is used as a last resort. Around 80% of police interaction results in a diversionary process. Custody numbers in NSW have fallen considerably under the NSW Liberals and Nationals Government. The average daily number of young people in custody has fallen by 27% since 2009/10 and the number of young people in custody on remand has fallen by 23.5% since 2009/10. The proportion of young people in detention of ATSI background has fallen to 48% in 2013/14 and the number of ATSI young people in custody has fallen by 26% since 2009/10.

Juvenile Justice provides young people in custody and under supervision with access to Alcohol and Other Drug programs throughout the state, including rural and regional NSW. Aboriginal specific strategies have also been developed such as the Youth Koori Court and programs such as Our Journey to Respect and Dthina Yuwali.

## **6. Education and Training in Custody**

- i. Do you support the right of access to an accredited broad education program, aimed at improving prospects of reintegration, rehabilitation and the development of the full potential of each detainee?*
- ii. Do you support the rights of publicly employed teachers working in correctional facilities to have access to adequately resourced, safe teaching facilities, including appropriate technology?*
- iii. Do you support the legislative right to education in correctional facilities, regardless of status - including prisoners on remand or under punishment?*
- iv. Do you support the right for all prisoners to have access to a computer in their cell within a secure network environment?*
- v. Do you support enhancing funding for self-learning and distance education courses?*
- vi. Do you support addressing interruptions and terminations of prisoner access to education, caused by prison administrators, officers, frequent lockdowns and abrupt transfers between institutions?*
- vii. Do you support the development of educational programs that are culturally appropriate to prisoners from marginalised groups, including Indigenous people, women, GLBTI groups and prisoners with disabilities?*

### **Response:**

Poor literacy and unemployment are known factors which impact re-offending, and the NSW Government is committed to reducing re-offending and increasing community safety.

We have already invested \$3.5 million into Intensive Learning Centres, modern facilities which help foster a culture of learning among prisoners and prepare them for a productive life in the community.

We are also transforming the Kariang Correctional Centre into a specialist prison where educational and vocational programs will be intensively delivered to Indigenous inmates.

We will continue to work closely with a range of agencies and consider other options to enhance the suite of educational program currently available to prisoners as they arise.

## **7. Refugees and the Criminal Justice System**

- i. Do you accept that there are special needs for refugees within the community who come to the attention of the police and are placed into criminal justice?*
- ii. Do you accept there are special needs for juveniles similarly affected?*
- iii. Do you accept that there is a need for specialist health care assessment and ongoing treatment and counselling of refugees within the corrective services and juvenile justice systems?*
- iv. Do you accept that Justice Health needs to implement special arrangements for the ongoing care and support of refugees within its purview, especially those in the forensic mental health system who often suffer an additional sense of isolation due to language and cultural barriers?*
- v. Do you accept that Department of Corrective Services and Department of Juvenile Justice need to implement special arrangements to identify refugees at risk and needing specialist ongoing support, especially due to the adverse effects of negative side effects they may suffer due to animosity of other inmates prejudiced by ongoing negative stereotyping?*
- vi. Do you accept that there is a need for specialist education and training programs for refugees within the corrective and juvenile justice systems?*
- vii. Do you agree that there is a need for specialist language support systems to be put in place for refugees in the corrective, forensic and juvenile justice systems?*
- viii. Do you accept that there has been no meaningful reform in line with the systemic problems identified by CJC in the 2011 Submission?*

### **Response:**

Laws governing the rights of refugees are administered by the Commonwealth and the NSW Government respects those rights.

All juveniles in custody have a case plan which outlines their specific needs and plans for release. This may include health, counselling, language or other specialist needs such as cultural background.

CSNSW staff are trained to work with offenders for whom English is their second language. In addition, CSNSW provides English as a Second Language instruction to people in custody and provides access to telephone interpreter services.

The recently launched, trauma informed practice training will enable all front line staff to appropriately work with people, including refugees, affected by trauma.

## **8. Health Issues for reform**

- i. Will you commit to justice health remaining a function of the Department of Health and not being transferred to, or limited by, corrective services in delivery of health care, being the sole provider of justice health?*
- ii. Will you commit to accepting the principle that people in custodial care have the right (as far as practicable) to the same standard of health care as other members of the community?*
- iii. Will you commit to recognising the importance and support for, and funding of, peer-based health education programs in areas of drug use, HIV and Hepatitis C as the most effective approach and provide funding for it?*
- iv. Will you commit to provision and review of dental services for people in custodial care?*
- v. Will you commit to making representations to the Commonwealth for amendment of the National Health Act to make Medicare benefits available for prisoners/prison health services?*
- vi. Will you commit to recognising the need for the provision of health services that are culturally sensitive?*
- vii. Will you commit to supporting the trial of a needle and syringe program in appropriate correctional facilities with independent evaluation of the outcomes of any such trial?*
- viii. Will you support a drug summit?*
- ix. The Magistrates Early Referral into Treatment (MERIT) program has been successful in preventing crime, do you intend on increasing funding and rolling the program out to more locations?*

### **Response:**

Under the NSW Liberal & Nationals Government health services to prisoners will continue to be provided by Justice Health. The right of prisoners to the same standards of health care as the community has always been recognised and is set out in various Justice Health documents. In addition, the Attorney General has written to the Commonwealth seeking amendments to the National Health Act to enable prisoners to have access to Medicare benefits and preventative programs available to the rest of the community.

HIV/HCV prisoners already have full access to treatment. In addition, peer-based education services are provided and supported.

Justice Health has an active programme to expand dental services and recognises the importance of this health intervention.

Justice Health recognises the need for the provision of health services that are culturally sensitive and has recently expanded a number of its Indigenous health services

In relation to the drug summit, the NSW Government is committed to action to respond to the legal and health consequences of drug abuse.

## **9. Mental health**

- i. *Will you commit to review and upgrade of the provision of psychiatric and psychological services for people in custodial care including online counselling in cells offering appropriate services?*
- ii. *Will you commit to allocating additional resources to the receptions screening program, including adequate funding and staffing to ensure that remand inmates with a mental health problem are identified and properly assessed?*
- iii. *Will you commit to funding forensic mental health facilities for women that are in low security and aimed at offering supported accommodation?*
- iv. *Will you commit to supporting and reinforcing the principles of recovery and consultation with mental health consumers including the right to refuse medication, in order to foster more therapeutic treatment for prisoners suffering with a mental health disorder?*
- v. *Will you support the creation of the role of consumer workers? This would involve the provision of greater resources and funding for mental health services, securing funding for the creation of a program and training of appropriate candidates.*
- vi. *Will you support the movement towards allowing greater choice for patients in selecting their own appropriate legal representation? This would include improving information available to mental health patients about appropriate and qualified legal representation and facilitating such meetings with legal representatives.*
- vii. *Will you support more drug and alcohol rehabilitation centers to deal with drug dependency and consequential crime?*
- viii. *Will you support an approach to restorative justice similar to that proposed by the UK prisons minister, to take addicts and the mentally ill out of the prison system and place them in supportive and less restrictive facilities?*
- ix. *Will you commit to improving the transition from prison to the community for those with a mental health disorder including: support networks in the post release period; increased employment opportunities following release; support for access to appropriate and continuing health services; assistance with access to appropriate housing; funding for specific transition programs.*
- x. *Will you adopt the Law Reform Commission's recommendations for limiting terms for all forensic patients?*

### **Response:**

Justice Health employs standard practices which ensure that inmates on remand who have mental health issues are appropriately identified and assessed.

Where medication is prescribed by professional clinicians and authorised by the Mental Health Review Tribunal, Justice Health reserves the right to enforce medication.

Justice Health supports a number of initiatives via the Connexions Programme.

## **10. Cultural and Linguistic Diverse (CALD) Communities**

- i. Will you commit to providing culturally sensitive programs (eg diet/education) in prisons, which address the needs of the CALD community?*
- ii. Will you be taking any further measures to address the issue of religious tension and difference in our prison populations?*
- iii. Given the increasingly culturally/linguistically diverse composition of our prison population, will you ensure religious beliefs are respected?*

### **Response:**

The needs of prisoners from culturally and religiously diverse backgrounds are well recognised and respected. Arrangements are made for significant religious or cultural events which allow prisoners to celebrate those events. Prisoners are also able to purchase particular foods during specific religious or cultural events through the “buy-ups” scheme.

The chaplaincy program has been in place for many years and offers religious and spiritual guidance and support to prisoners of different religions.

## **11. Prison officers conditions**

- i. Do you commit to upgrading prison officers status and conditions?*

### **Response:**

Correctional officers work with some of the most dangerous and vulnerable members of our community and we commend them on their hard work and dedication to this challenging role. The NSW Liberal & Nationals Government is committed to ensuring that prison officers receive national recognition for the work that they do, which is why we are in the process of putting together a business case to the Commonwealth Government to encourage them to introduce a National Prison Officers Medal.

The NSW Liberal & Nationals Government is committed to an ongoing dialogue with prison officers.

## **12. Governance and Transparency**

- i. Will you support the requirement that selection of the Inspector of Custodial Services is seen as independent to encourage trust and deal objectively with systematic problems and prisoner complaints?*
- ii. Will you commit to expanding the Inspector's functions to include powers to review complaints from prisoners as was previously held by the Inspector-General?*
- iii. Will you commit to funding the Ombudsman to re-examine unfairness in Departmental decisions beyond procedural errors, and to establish objective tests as guidelines for decision making?*

### **Response:**

The NSW Liberal & Nationals Government is proud to have introduced the position of the Inspector of Custodial Services who oversees adult and juvenile correctional facilities across the state and reports directly to Parliament.

The Inspector's independence is guaranteed under the provisions of the Inspector of Custodial Services Act 2012, which gives the Joint Parliamentary Committee on the Office of the Ombudsman and the Police Integrity Commission the power to veto the appointment, or reappointment of a proposed Inspector. The Inspector is appointed for a term of five years, and may only be reappointed once.

The Inspector's role is to look at institutional and systemic issues rather than individual complaints which still fall within the role of the Ombudsman. The NSW Govt is not aware of any requests for the Inspector to review individual prisoner complaints, however we remain open to any discussion regarding the Inspector's responsibilities.

### **13. Privatisation**

- i. Will you commit to prisons remaining a government responsibility?*

**Response:**

Two existing Correctional Centres are privately managed. Junee Correctional Centre has been run by the GEO Group since its inception in 1993. The management of the Parklea Correctional Centre was contracted to the GEO Group by the Rees Labor Government in 2009.

The NSW Government remains committed to a continuing dialogue on how best to manage our prisons to ensure safe custodial environments, meet the care needs of those in custody and promote effective participation in offender programs.

## **14. Transfers**

- i. Will you commit to supporting fair procedures for interstate prisoners to serve their sentences in another state?*
- ii. Will you commit to bilateral arrangements for Australians committing offences overseas to be repatriated to Australia to serve their sentences?*
- iii. Should the Australian standards of justice apply for people like Australian reporter Peter Greste in Egypt following an international transfer, giving discretion with the form of sentence served?*

### **Response:**

Procedures for interstate and international transfers of inmates already exist under the Prisoners (Interstate Transfer) Act 1982 and the International Transfer of Prisoners Act 1997.

Both schemes allow inmates to request a transfer, either from countries which are a party to the International Transfer of Prisoners scheme to Australia or between different Australian jurisdictions, and govern the way in which the prisoner's sentence is served upon transfer.