

CJC/ICJ Analysis of Parties' Responses to 2015 Pre-Election Questionnaire

*This is a summary of parties' responses to the Pre-Election Questionnaire.
Some parties responded selectively. Their full responses are on the CJC website.*

Effectiveness of Imprisonment

Liberal & Nationals:

Supports continued investment in evidence-based programs.
Embraces diversionary and post release integration programs
Supports continued investment in evidence-based programs that break the cycle of crime, such as MERIT, CREDIT and the Drug court.
Supports programs for victim participation, including reforming the Forum Sentencing program.
Supports juvenile justice programs that aim to reduce reoffending such as Youth on Track.
Invested \$4.7 million in intensive Learning centres which provides prisoners with nationally accredited certificates.
Invested \$17 Million through its Funded Partnership initiatives for transnational support services, which will ensure that a range of transitional support services will be provided to more than 1,000 offenders each year.

Labor:

Imprisonment should be a last resort. Aims that occupation rates should not exceed between 90 - 95%.
Diversionary programs and rehabilitation are an essential part of the justice system, and justice policy should be based on evidence and supported by research.
Has strong reservations about mandatory sentencing, and is committed to extending services such as Drug courts to Illawarra if elected.
Introduced the MERIT scheme, CREDIT and Youth Justice Conferencing. Concerned about the possibility of CREDIT being reduced in scope or destroyed.

Greens:

Supports restorative justice, rather than imprisonment; i.e. that crime be treated as harmful to individuals and communities, not an offence towards the state.
Supports providing education, right to high-quality healthcare and fully funded mental health facilities.
Supports evidence-based measures to reduce crime and adhere to principles of justice reinvestment and restorative justice.
Opposed to mandatory sentencing for "one punch" offences.

Socialist Alliance:

Emphasises importance of alternatives to imprisonment, eg. restorative justice and circle sentencing. Prison should be treated as a last resort.
Supports greater use of community-orientated rehabilitation schemes.

Increase funding to special development programs. eg. programs for early childhood, special health care, literacy.

Opposes mandatory sentencing, which eliminates judicial discretion.

Supports the transfer of prisoners suffering mental illness to proper care.

Alex Greenwich:

Acknowledges the importance of early intervention, rehabilitation and restoration.

Should be using prevention, early intervention, diversion and rehabilitation programs to reduce re-offending and support ex-offenders and their integration into society.

Greg Piper:

Acknowledges that rehabilitation should be promoted over punishment in the justice system.

Supports giving courts more discretion, which allows mitigating factors and personal circumstances to be taken into account.

Supports making legal and judicial proceedings more culturally sensitive.

Believes that mandatory minimum sentences will result in unfair sentences due to the erosion of judicial discretion.

Supports the creation of drug courts.

Bail

Liberal & Nationals:

Supports the amendment to the Bail Act 2013, which includes the 'unacceptable risk' model.

Labor:

Skeptical about amendments to the Bail Act 2013. Claims the government's position on the issue is uncertain and inconsistent. Support an ongoing review of the Bail Act.

Greens:

Opposes amendments to the Bail Act 2013.

Socialist Alliance:

Opposes amendments to the Bail Act 2013. Supports full presumption in favour of bail and bail with fewer restrictions.

Alex Greenwich:

Opposes amendments to the Bail Act 2013. Supports presumption in favour of bail.

Greg Piper:

Strongly opposes amendments to the Bail Act. Claims that the 'show cause' requirement causes a substantial miscarriage of justice. The bill will violate the rights of the accused. Believes that amendments remove the discretion of the judiciary.

Indigenous Issues

Liberal & Nationals:

Committed to policies and programs to reduce the proportion of indigenous people in the prison system. Are developing Kariong CC into a specialist prison that would provide educational and rehabilitative support services for indigenous offenders. Will continue the development of NSW's first Koori Court.

Labor:

Will explore the approach of Justice Reinvestment as a strategy to reduce indigenous incarceration.

Greens:

Emphasises the importance of a justice system that caters to specific cultural needs and that engages with community.

Socialist Alliance:

Emphasises the importance of a justice system that caters to specific cultural needs and that engages with community.

Supports a greater use of suspended sentences and community-based alternatives to prison.

Advocates the full implementation of the recommendations of the 1991 Royal Commission into Aboriginal Deaths in Custody.

Supports increasing funding to Aboriginal Legal Aid.

Alex Greenwich:

Supports programs and policies addressing the specific circumstances of Indigenous prisoners.

Women

Liberal and Nationals:

Committed to providing programs and services to female offenders in order to meet their specific needs in the form of mentoring services and maintaining links between mothers and children. This includes new training programs for Corrective Services staff, to ensure that these priorities are being met.

Labor:

Suggests that where possible, scanning be utilised rather than strip-searching. Extension of diversionary programs, and support children contact.

Greens:

Recognises that women prisoners have particular needs and justice should be gender, socially and culturally specific.

Alex Greenwich:

Supports programs and policies addressing the specific circumstances of women.

Greg Piper:

Supports the increased allocation of resources to support programs for women in gaol, particularly women with mental health issues and those who have suffered sexual abuse or mistreatment.

Supports moves to enhance contact between imprisoned mothers and their children.

Women should have greater access to support services and affordable housing when they leave prison.

Juveniles in Custody

Liberals and Nationals

Committed to preventing 'at risk' juveniles from becoming entrenched in the criminal justice system and strongly believes that custody for young offenders should be used as last resort. This includes commitment to maintaining services such as Alcohol and Other Drug programs, and the development of specialist courts in NSW eg. Youth Koori Court.

Labor:

Suggests that justice reinvestment need to be addressed as a response to youth crime and suggests that where appropriate, rehabilitation and diversionary programs should be priorities.

Greens and Alex Greenwich:

Believe that efforts should be made to keep juveniles out of the prison system and diversionary programs should be given first preference. This includes programs for Juveniles in custody.

Education and Training in Custody

Greg Piper:

Wants to improve access to education for women and to end discriminatory payment practices. Education programs have proven to have a positive impact decreasing rates of recidivism, reintegration and employment outcomes upon release. Wants to improve access to computers and study aids.

Government

Strongly values the importance of education and training in reducing reoffending and is committed to investing funds into Intensive Learning Centres and developing specialist prisons.

Labor Party, The Greens, Socialist Alliance Party, Alex Greenwich

Strong supporters of providing education and training in prison.

Believe that access to education and training is imperative for prisoners to allow them to pursue work and receive an income, and ultimately become full members of the community. The Greens hosted a round-table

discussion with the Community Justice Coalition (CJC) on introducing computers in cells to address education and counselling service needs.

Health

Liberals & Nationals:

Supports the role of Justice Health providing health services to prisoners, acknowledges the right of prisoners to the same standards of health care as the community. Supports the need for the provision of health services that are culturally sensitive. Also seeks to make 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.

Labor:

Believes that Justice Health fulfils an important role and shouldn't have its current structure and position adversely altered; suggests that all people in custodial care have the right to the community standard of health care and that health services should be culturally appropriate.

Greens:

Emphasises the right to high quality health care, in particular the need for a harm minimisation approach to drug use.

Alex Greenwich:

Argues that health and welfare services in prison have many advantages, including preventing problems, supporting people with a disability or illness and addressing poverty, discrimination and exclusion; supports programs addressing health issues of the prisoners.

Mental Health

Liberal & Nationals:

Committed to supporting the role of Justice Health in determining the methods by which mental health patients are cared for.

Maintains Justice Health employs standard practises, which ensure that inmates who have mental health issues are correctly identified and assessed.

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

Labor:

Recognises the comparatively high proportion of NSW prisoners with mental health disorders and mental illness.

Supports the use of diversionary schemes where appropriate.

Committed to providing "adequate services and treatments" for prisoners with mental disorders and mental illnesses.

Greens:

Intends to limit the use of involuntary medication, as it is an "extreme violation of civil liberties", and believe NSW needs a system to ensure "this is only done in appropriate circumstances."

Believe that fully funded mental health facilities are vital for the criminal justice system.

Alex Greenwich:

Supports programs and policies to address the specific circumstances of those who have disability or mental illness.

Refugees

Liberal & Nationals:

Respects the rights conferred by the Commonwealth on refugees.

All juveniles in custody have a case plan which outlines their specific needs and plans for release, which may include health, counselling, language or other specialist needs. CSNSW staff are also trained to work with ESL offenders.

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

Labor:

Believes that prisons must recognise vulnerable prisoners and those with special medical conditions and that services should be culturally appropriate. Acknowledges that the State has no control over the Temporary Protection Visa Scheme or Immigration policy.

Alex Greenwich:

Supports programs and policies to address the specific circumstances of migrant and refugees.

Greens:

Recognises the need to address the specific needs of refugees, particularly their traumatic experiences and their cultural and linguistic differences.

Culturally and Linguistically Diverse Communities

Liberal & Nationals:

Recognises the needs of prisoners from culturally and religiously diverse backgrounds.

Arrangements are made for significant religious or cultural events that will allow prisoners to celebrate. The prisoners are also allowed to purchase particular foods during specific religious/cultural events through the "buy-ups" scheme.

Supports a chaplaincy program which offers religious and spiritual guidance to prisoners of different religions.

Labor:

Culturally sensitive programs should be part of all aspects of the prison service, where appropriate. There should be no discrimination on the basis of religious belief.

Greens:

Sees the overrepresentation of CALD people as an issue that needs to be addressed.

Alex Greenwich:

Supports programs and policies to address circumstances of prisoners who have cultural and language barriers.

Prison Officers' Conditions

Liberal & Nationals:

Acknowledges correctional officers work with some of the most dangerous and vulnerable members of our community, commends them on their hard work & dedication to this challenging role.

Committed to ensuring that prison officers receive national recognition for their work, which is why they are in the process of putting together a business case to the Commonwealth Government to encourage them to introduce a National Prison Officers Medal.

Labor:

Committed to a fair and equitable Worker's Compensation Scheme & believes that Prison Officers should be entitled, like all other workers, to worker's compensation.

Will not impose arbitrary reductions in total workforce numbers or impose arbitrary restrictions on wages.

Greens:

Similarly recognises prison officers' right to a safe workplace, decent conditions and pay.

Governance and Transparency

Liberal & Nationals:

Introduced position of the Inspector of Custodial Services who oversees adult and juvenile correctional facilities across the state. Inspector's independence is guaranteed under the Inspector of Custodial Services Act 2012. Inspector's role is to look at institutional and systemic issues rather than individual complaints.

Labor:

Committed to maintaining an efficient and effective system to deal with complaints about the corrections system.

Greens:

Recognises the need for "independent oversight" to ensure abuses do not occur in Corrective Services.

Privatisation

Liberal & Nationals:

Two existing Correctional Centres are privately managed. However, the Government remains committed to a continuing dialogue on how best to manage the prisons to ensure safe custodial environments, meet the care needs of those in custody and promote effective participation in offender programs.

Labor:

Believes that prisons should be a core Government function, does not think there is any scope for further privatisation in NSW prisons. This will continue to be the case if new facilities are required. A properly run Corrective Services system does not require further privatisation.

Socialist Alliance:

Advises that gaol privatisations should be reversed. This ensures that a 'prison industrial complex' does not develop where conditions for inmates and guards deteriorate and corporations aim to profit from crime.

Greens and Alex Greenwich:

Opposes privatisation of prisons.

Transfers

Liberal & Nationals:

Acknowledges that 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.

Labor:

A proper system of international and interstate prisoner transfer is desirable not just on humanitarian grounds but on practical grounds.

Greens:

Supports the transfer of prisoners from dangerous situations including jurisdictions with the death penalty, poor prison conditions and language barriers.

Socialist Alliance:

Outlines the importance of appropriate transfers for those in the prison system who suffer mental illness.

