



Appendix one – Response from agency



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D19/0366349

15 May 2019

Ms Margaret Crawford
Auditor General
Audit Office of NSW
GPO Box 12
SYDNEY NSW 2001

Dear Ms Crawford

Thank you for the opportunity to respond to the performance audit report into *Managing growth in the NSW prison population*.

Please find attached our response to the report. We have accepted the six recommendations provided for the Department of Family and Community Services and Justice. It has been noted as part of the performance audit that a number of actions are already underway to address the issues identified.

An agreed action plan has been developed for implementation and is incorporated within the attached response.

Our agency response outlines important facts, realities and challenges within the dynamic business environment in which Justice operates. This includes the unprecedented growth in the inmate population over a relatively short period of time; the timeframe required to plan, build and commission new prison infrastructure; and the concurrent implementation of strategic and operational reform initiatives.

My Department will continue to assess projected demand and assess impacts of potential policy changes to ensure the most effective and efficient response to manage fluctuations in the prison population, and advise the Government on appropriate options.

Should you have any queries or would like further clarification in relation to the response, please do not hesitate to contact Michael Airton [REDACTED]

Yours sincerely,

Michael Coutts-Trotter
Secretary

Encl

New South Wales Auditor-General's Report - Performance Audit

Managing growth in the NSW prison population

MANAGEMENT AGREED ACTION PLAN

Rec. No.	The Department of Family and Community Services and Justice should, by June 2020:		
1	Advise the NSW Government on options to meet the urgent need for additional prison bed capacity within the metropolitan Sydney area, to meet its projected shortfall in fit for purpose beds from 2022		
Agency Response	<p>Accepted.</p> <p>The Department is currently constructing an additional 500 beds at Parklea Correctional Centre, 440 beds at the MRRC and 248 beds at the Dillwynia Correctional Centre, as well as refurbishing 320 beds at the Outer Metro Multi-Purpose Correctional Centre in South Windsor, which will directly contribute to the reduction in reliance on beds outside the greater Sydney metropolitan area. In addition, CSNSW continues to develop options for the creation of additional bed capacity within the greater Sydney metropolitan area. These include the review of existing facilities and engaging with relevant agencies to advocate for suitable locations for development of new metropolitan Justice operations.</p> <p>The Department will continue to monitor forecast demand for metropolitan correctional services.</p>		
AGREED ACTIONS		Person responsible	Date to be actioned by
1.1	Continue to review options for possible consideration by the NSW Government for the creation of additional bed capacity (either in new locations or otherwise) within the great Sydney metropolitan area, including reviewing existing operations.	Executive Director, Infrastructure CSNSW Assistant Commissioner, Custodial Corrections CSNSW	June 2020
1.2	Continue to monitor demand for correctional services in the metropolitan region.	Executive Director, Infrastructure CSNSW	June 2020

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MANAGEMENT AGREED ACTION PLAN

Rec. No.	The Department of Family and Community Services and Justice should, by June 2020:		
2	Reassess and advise the NSW Government on whether the prison system has enough fit-for-purpose capacity to manage temporary fluctuations in the inmate population		
Agency Response	<p>Accepted.</p> <p>CSNSW is undertaking an ongoing body of work to confirm the prison system has the ongoing capacity to manage temporary fluctuations. Early stages of this work include a state wide bed audit, and ongoing assessment of the role and function of each correctional centre within the broader system network. Work is currently progressing on aligning the bed system into a hub and spoke model and assessing specialised needs such as protection beds, mental health beds and other operational and health related factors such as aged and frail. As new infrastructure is realised from the Prison Bed Capacity Program, demand for correctional services will be assessed and bed stock may be decommissioned into suitable for future surge bed category or obsolete bed stock.</p> <p>As part of Departmental strategy, all new infrastructure includes in-built surge capacity. The alignment of these strategies will ensure CSNSW will have significant capacity to flexibly manage fluctuations in demand for services.</p>		
AGREED ACTIONS		Person responsible	Date to be actioned by
2.1	Continue to monitor and review existing bed stock in all centres to provide ongoing advice to Government about the amount of fit for purpose capacity and strategies to maximise its use.	General Manager, Strategic Population Management CSNSW	Ongoing

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MANAGEMENT AGREED ACTION PLAN

Rec. No.	The Department of Family and Community Services and Justice should, by June 2020:		
3	Investigate and implement deliberate strategies that reduce the number and costs of inmate movements, for example through greater use of technology to alleviate inmate movements where possible and appropriate		
Agency Response	<p>Accepted.</p> <p>There are a number of strategies that are being implemented across the system to attempt to reduce inmate movements. The first and most important is the increase in Audio Visual Link (AVL) suites that are being built into all new and existing infrastructure to reduce the cost of inmate movements by supporting inmate and legal counsel contact, court appearances and Telehealth. Since the introduction of video conferencing in 2001 which supports this ongoing business need, many business areas have adopted practices to include the benefits from this technology. DoJ currently uses technology (AVL) to facilitate inmate's court matters, legal and professional interviews. The use of AVL has also been expanded to support inmate's attendance at funerals as well as overseas interstate and local family visits. All Correctional Centres with video conferencing facilities now participate in applying this technology to these areas of business and policies are updated accordingly. Currently, video conferencing facilities are used for approximately 68% of court matters and approximately 73% of all legal interviews. This is supported by policy and procedures included in the Custodial Operations Policy and Procedures. CSNSW continues to work with other parts of the Justice Cluster to identify opportunities to expand AVL and related technology.</p> <p>Expansion of AVL and other technologies is contingent on available funds.</p> <p>The implementation of a Medical Escort Unit (MEU) which will be co-located with the Justice Health & Forensic Mental Health Network (JHFMHN) patient flow planners will provide for the first time system transparency in relation to specialist medical appointments in hospitals and admission of inmates to public hospitals to drive a reduction in inmate movements.</p>		
AGREED ACTIONS		Person responsible	Date to be actioned by
3.1	Expand the use and scope of AVL use in correctional centres, subject to available funding	Assistant Commissioner, Corrections Strategy & Policy CSNSW	Ongoing

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MANAGEMENT AGREED ACTION PLAN

Rec. No.	The Department of Family and Community Services and Justice should, by June 2020:		
4	Continue to use Justice Impact Assessments to advise the NSW Government of the impacts of policy changes on immediate and longer-term demand for prison beds and prisoner support services, including for specific inmate cohorts		
Agency Response	<p>Accepted.</p> <p>A Justice Impact Assessment can be used to assess the criminal justice system impacts of any major policy proposal or policy decision. Justice Impact Assessments are completed for all new proposals likely to have a material impact on the criminal justice system and are a valuable tool for advising Government of potential downstream prison demand changes as a result of particular policy decisions.</p> <p>It is noted that ongoing refinement of the Justice Impact Assessment model will be required to deliver advice on specific inmate cohorts, currently limited by availability of data. The modelling also requires ongoing maintenance and updating.</p>		
AGREED ACTIONS		Person responsible	Date to be actioned by
4.1	Conduct Justice Impact Assessments for policy proposals likely to have a material impact on the criminal justice system	Executive Director, Performance and Analysis Justice Strategy & Policy	Ongoing
4.2	Continue to refine, improve update and maintain the Justice Impact Assessment model within the limitations of available data	Executive Director, Performance and Analysis Justice Strategy & Policy	Ongoing

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MANAGEMENT AGREED ACTION PLAN

Rec. No.	The Department of Family and Community Services and Justice should, by June 2020:		
5	Use findings from the DCJ asset management review to develop a benchmark for maintenance expenditure and include this in budget submissions		
Agency Response	<p>Accepted.</p> <p>The Baseline asset condition assessment has been completed. The Capacity and compliance assessments will be completed by 30 June 2019. The Asset Condition and Compliance data gathered to date is being used to inform the budget planning process and is resulting in significantly improved quality of budgeting. This data has been incorporated in the now re-baselined maintenance and minor works budgets for Justice. The data is also now being incorporated into the various capital planning activities and is being incorporated in Service Planning and capital bids. Treasury have been presented with the Maintenance re-baseline and this is forming the basis for all budgeting going forward.</p>		
AGREED ACTIONS		Person responsible	Date to be actioned by
5.1	This action is complete.	n/a	n/a

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MANAGEMENT AGREED ACTION PLAN

Rec. No.	The Department of Family and Community Services and Justice should, by June 2020:		
6	Continue to monitor and report on benefits as set out in the Prison Bed Capacity Program Benefits Realisation Management Plan including after the program ends in 2021		
Agency Response	<p>Accepted.</p> <p>The Prison Bed Capacity Program (PBCP) has commenced benefits realisation progress reporting.</p> <p>Ownership of the achievement of benefits sits with a number of key areas across the Department and will continue to be monitored after the completion of the Prison Bed Capacity Program in 2021.</p>		
AGREED ACTIONS		Person responsible	Date to be actioned by
6.1	Continue benefits realisation progress reporting in accordance with the Benefits Realisation Management Plan.	Director, Governance & Assurance Prison Bed Capacity Program CSNSW	Ongoing
6.2	Transition the Benefits Realisation Management Plan and reporting framework from PBCP to BAU.	Director, Commissioning & Strategy Prison Bed Capacity Program CSNSW	June 2021

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MANAGEMENT AGREED ACTION PLAN

Rec. No.	The NSW Government should, by June 2020:		
1	Settle its strategic objectives for accommodating long-term growth in the prison population in the context of broader criminal justice reforms, and invest in the delivery of these objectives accordingly.		
Agency Response	NOT APPLICABLE. FOR REFERENCE ONLY.		
AGREED ACTIONS		Person responsible	Date to be actioned by
1.1			
1.2			
1.3			

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