

18 April 2018

Mr A J MacSporran QC
Chairperson
Crimes and Corruptions Commission
North Tower Green Square
515 St Pauls Terrace
Fortitude Valley QLD 4006

Dear Mr MacSporran

Re: Taskforce Flaxton — Invitation to make a written submission on corruption risks in Queensland corrective service facilities

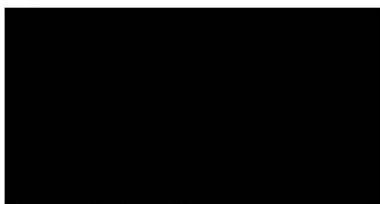
Thank you for your letter dated 27 March 2018 and the advice that the Crime and Corruption Commission (CCC) has commenced Taskforce Flaxton to examine corruption risks in Queensland Corrective Services facilities.

As invited by the CCC, The GEO Group Australia Pty Ltd (GEO), as the Operator of Arthur Gorrie Correctional Centre under contract to Queensland Corrective Services, is pleased to provide the attached submission to help inform the work of Taskforce Flaxton.

I am grateful to you for granting GEO three extra working days to complete the submission. As is customary, we have copied the Commissioner, Queensland Corrective Services, into this correspondence

Please do not hesitate to contact me should you require further particulars related to this submission.

Yours sincerely



Pieter Bezuidenhout
Managing Director

Attach

cc Peter Martin APM PhD, Commissioner, Queensland Corrective Services
Troy Ittensohn, General Manager, Arthur Gorrie Correctional Centre



The GEO Group Australia Pty Ltd.

SUBMISSION ON CORRUPTION RISKS IN QUEENSLAND CORRECTIVE SERVICES

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ABOUT GEO

The GEO Group, Inc.

The GEO Group Australia's parent company is The GEO Group, Inc. (GEO Group), a public company listed on the New York Stock Exchange. GEO Group is a leading international provider of diversified correctional, detention and community treatment services.

GEO Group's operations include the ownership and/or management of 140 facilities with a workforce of approximately 23,000 corrections professionals. These facilities are in the United States, United Kingdom, South Africa and Australia.

GEO Group is responsible for the care, custody and rehabilitation of approximately 60,000 inmates/detainees, including over 30,000 daily participants in evidence-based rehabilitation programs.

GEO Group provides leading, evidence-based rehabilitation programs to individuals while in-custody and post-release through the 'GEO Continuum of Care' model. The 'GEO Continuum of Care' combines enhanced in-prison offender rehabilitation programs integrated with post-release support services.¹

The GEO Group Australia Pty Ltd

The GEO Group Australia Pty Ltd (GEO) is Australia's largest and most experienced provider of outsourced correctional services. Commencing operations in Australia in 1992, GEO currently manages five facilities across three States with a combined capacity of more than 5,000 prisoners, managed by over 2,000 staff.

In New South Wales, GEO has operated the Junee Correctional Centre since it opened in 1993. This was the first correctional facility in Australia to be designed, constructed and managed by the private sector under a single contract. It has also operated the Parklea Correctional Centre since October 2009 after winning a competitive tender.

In Victoria, GEO manages the Fulham Correctional Centre near Sale as well as the adjoining Nalu Challenge Community for young adult offenders. It has managed Fulham — Victoria's largest regional prison — since 1997.

More recently, GEO and its consortium partners won the Victorian Government's tender to design, build, operate and maintain the Ravenhall Correctional Centre in Melbourne. This facility began operations in late 2017 with a capacity to accommodate up to 1,300 prisoners, including 75 forensic mental health patients and 450 inmates on remand.²

¹ https://www.geogroup.com/GEOs_Continuum_of_Care

² <http://www.geogroup.com.au/>

GEO in Queensland

GEO operates one correctional facility in Queensland — the Arthur Gorrie Correctional Centre (AGCC).

Located in western Brisbane, AGCC is Queensland's largest correctional centre and its primary remand facility, servicing the needs of the South East Queensland courts and correctional centres state-wide. A smaller population of convicted and/or sentenced prisoners are held, normally for short periods either awaiting sentence, transfer or as returns-to-prison as parole violators.

GEO has continually operated AGCC since it opened in June 1992, retaining the contract through several re-tenders and contract extensions.

AGCC's primary role is to safely and securely house over 1,000 adult male remand prisoners for the period leading up to, and during, their trial. Consequently, a high number of prisoners move into and out of AGCC every day.

GEO provides a comprehensive range of correctional services at AGCC including (i) safe custody and secure management of a range of prisoners including remand, sentenced and local new receptions, and facilitation of their appearance at court or transfer to other correctional centres, (ii) care and welfare services, (iii) health services, and (iv) facilities and rehabilitation and reparation services including education, training, industry, and programs and services to address criminogenic need under the GEO Continuum of Care.³

As a consequence of AGCC's role as an on-remand centre, it is important to appreciate that AGCC is very different from a sentenced/release prison — the prisoner cohort has not yet been sentenced and are therefore generally in a more anxious/stressed state. Because of its role as an on-remand centre, AGCC has a different purpose and its different prisoner population produces differing interactions with prisoners, differing patterns of incidents and differing responses from the operators compared to other correctional facilities.

By way of example — an on-remand centre usually has much reduced opportunities for delivery of comprehensive education, vocational training, offender behaviour programs and in-centre employment. In spite of this, AGCC provides more programs than any other facility in the Queensland corrections system.

The team at AGCC has had great success in motivating and encouraging prisoners to participate in education, community, and health improvement programs, even though remand prisoners are not obliged to participate in any prison activities.

³ <http://www.geogroup.com.au/arthur-gorrie-correctional-centre.html>

Preface to the submission

GEO's submission to Taskforce Flaxton is informed by its significant experience in operating 141 corrections centres both in Australia and internationally.

GEO appreciates that its submission is a public submission and according to the Appendix attached to the Project Flaxton Issues Paper may be published on the CCC website.⁴

Mindful of this, for security reasons, GEO has avoided information considered sensitive in this public submission has necessarily been constrained.

GEO's submission to Operation Flaxton focuses on responses to the five questions raised in the Issues Paper.

GEO welcomes Taskforce Flaxton examining issues of alleged corrupt conduct within Queensland Corrective Services (QCS) facilities. Especially, the Taskforce's objective of exploring opportunities for raising standards of integrity relevant to detecting, managing and preventing corruption risks within this sector.

With the growth in prisoner numbers across Australia more staff now work in prisons than ever before. For its part, GEO considers the corrections professionals it has gathered together to work in the facilities GEO operates — incidentally, largest such grouping in Australia employed by one Company — as the first line of defence against corrupt practices.

GEO is justifiably proud of the commitment and dedication our staff bring to ensuring the safety and welfare of their colleagues and the prisoners in their care. In the final analysis, it is our staff — together with the well-established policies, processes, technology and resources — who detect, manage and prevent all types of risks in the prisons we operate so that we may fulfil our contractual obligations to the States and the wider community we serve.

⁴ CCC *Taskforce Flaxton – Issues Paper and Invitation for Public Submissions*, March 2018 p9

Responses to CCC's Key Questions for Stakeholders

Question 1:

In relation to complaints made to the CCC, what may account for the increase in the number of corrupt conduct allegations received, over the last three years, about:

- a. Assaults/excessive use of force?
- b. The misuse of information?

RESPONSE

General Observations:

- GEO is not privy to the total number, nature and type of allegations received by CCC over the last three years. Therefore, our comments are limited to GEO's knowledge of operating prisons under contract in Australia and where relevant, internationally.
- Integrity issues such as excessive use of force and the misuse of information are risks that are created and/or increased by the specific nature of the correctional environment. Nor are they unique to the correctional environment in Queensland.
- There are several factors which contribute to incidents that may result in the use of force.
 - I. As noted by the CCC, the prisoner population has increased significantly, and site/building constraints have meant increasingly congested prisoner accommodation;⁵
 - II. Increased prisoner density has led to an increased need for intervention into interactions between prisoners, and prisoner behaviour generally;
 - III. The proactive and ongoing identification of new and emerging risks and the potential for smuggling drugs and other contraband into the centre, which has reduced supply;
 - IV. The investment in and roll out of technology which locates mobile telecommunications signals, resulting in much higher rates of successful interdiction which, in turn, results in frustration amongst sections of the prisoner population;

Excessive use of force:

- As mentioned above, prisoner numbers across Australia have risen and the increase in remand numbers have been acute — many prisons are at capacity or close to it.

⁵ CCC 2018 opcit P7

This increase has in turn increased prisoner movements and interactions with corrections officers.

- In addition, the prisoner cohort has become more complex with more acute needs such as drug/alcohol problems, mental health conditions, disabilities, gang affiliations, history of trauma and violence.
- These trends appear to be correlated with increases in prisoner violence and the need for use of force to address incidents and restore order.
- Whilst the use of restraint and use of force in prisons are sometimes necessary, there are highly specific policies and procedures governing their proper use.
- In addition to the policies promulgated by QCS, GEO has established and implemented additional local operating procedures and training to guide staff in this important area.
- As a matter of policy, GEO investigates use of force incidents independently by its Office of Professional Integrity (OPI).
- In addition to the operations of OPI, GEO has established an Incident Review Committee (IRC) with a multi-disciplinary team (including custodial staff and clinicians) to review all uses of force incidents, including review of available CCTV footage.
- An important component of the operations of the IRC is the inclusion of staff who were involved in the use of force incident to also view the CCTV footage to promote organisational learning and continuous improvement in behaviour and incident responses.

Misuse of information:

- With more widespread and embedded IT systems, legitimate access to intelligence systems across correctional centres has increased. This may account for the concomitant increase in the opportunity/risk of such information being improperly accessed either deliberately or negligently.
- Access to GEO's Integrated Offender Management System (IOMS) at AGCC is logged, so any alleged misuse of electronic information can normally be tracked.
- To GEO's knowledge, misuse of information incidents in prisons have generally not been motivated by corrupt intent but rather carelessness and/or curiosity — which is still serious and is treated as such.

- Overall, at AGCC there have been very few incidents of misuse of information in recent years, and we can identify no particular pattern of behaviour.

Question 2.

What are the most significant corruption risks in Queensland correctional facilities?

What are the consequences of this type of corruption for prisoners and how the correctional facility operates?

What are the consequences of this type of corruption for the community?

How does this type of corruption undermine integrity and public confidence in QCS and engaged service providers?

RESPONSE

By “most significant” corruption risks, GEO presumes the CCC, in accordance with its remit, is focussing on serious or systemic cases of corruption in units of public administration⁶, and include both those risks with a major impact, and also those of high frequency or probability;

The Compromising of Correctional Officers

- The compromising of correctional officers by prisoners or prisoner networks is a significant risk in all correctional facilities.
- This might include prisoners being aware of financial, emotional, health or addiction, occupational, or family stressors for the officer, and identifying ways to leverage that knowledge.
- Corrections officers suffering those stressors may initiate or commence relations with prisoners which in their mind may alleviate them.
- Compromising the integrity of corrections officers might also arise from officers — perhaps well-motivated — doing favours for prisoners when those favours might seem like an act of kindness or convenience but are not countenanced by prison regulations or policies.
- Once compromised, the potential arises for the officer to be influenced and/or controlled by prisoner(s) with knowledge of their behaviour and forced into other and more serious acts of corruption.
- Once an officer is compromised, it is akin to opening a gate through which prisoners may access what they most want: access to telecommunications (eg a mobile ‘phone) or information to organise further criminal activities or threaten victims, the means to further criminal activities (eg knives, guns, anything of value to other

⁶ CCC opcit p2

inmates such as drugs, or information) or escape, or feeding their personal addictions.

- A compromised officer cannot be relied upon to maintain and support prison discipline and organisation, to meet their obligations in relation to prisoner detention, security and safety, nor to meet any obligations to their community or employer or fellow officers — components of the prison's system become unreliable.

Use of Excessive Force by Corrections Officers

- The use of excessive physical force on prisoners by some corrections officers is a serious issue and treated as such by management and staff at all of GEO's correctional facilities.
- Allegations of use of excessive physical force has a significant impact on the capacity of staff to manage the centre and manage prisoners, because:
 - I. where the allegations are false they undermine the capacity of officers to exercise proper discipline and enforce proper behaviour with prisoners, out of a concern to generate no further complaints; and
 - II. where the allegations are true they undermine prisoner (and their networks) commitment to trust and respect the system and abide by the rules;
 - III. officers, particularly newer employees, come to disrespect the rules where they see them being applied inconsistently or unfairly by more senior and/or experienced colleagues; and
 - IV. if prisoners anticipate the use of excessive physical force upon them, it alters how they relate to corrections officers generally.

The Impact of Demand for and Introduction of Contraband

A further and very significant corruption risk is the introduction of contraband into correctional centres.

- Consequences of contraband risk includes the degradation of safety and security of the prison which affects the safety and security of prisoners, staff and visitors.
- Consequences to the community include an increase in the recidivism rate among prisoners notwithstanding the time they spend in the correctional centre.

Contraband now includes tobacco and mobile 'phones (freely available within the community) and Buprenorphine (a prescription drug that is available in the community).

- As barrier controls to prevent their introduction into correctional centres increases, the black-market value of this type of contraband increases exponentially (eg a packet of cigarettes in prison may be worth as much as ten times its market value). Consequently, there is greater risk of corruption of corrections staff to bring in such contraband.

- Corrections staff themselves may be addicted to narcotics and may become easier prey to becoming corrupted. GEO has a policy of testing for drugs.
- In fact, the Victorian Independent *Anti-Corruption Commission* in its Nov. 2017 Report (p18), stated:

“Victoria’s private prisons⁷ have the power to direct corrections officers to take part in drug testing, whereas there is no power to similarly direct corrections officers in public prisons...private providers appeared to be proactive in adopting policies and practices for preventing, identifying and addressing employee misconduct and corrupt conduct”.

Question 3

What factors create a corruption risk or facilitate corruption in Queensland correctional facilities?

How do these factors create a corruption risk or facilitate corruption?

Are these factors systemic (present across all correctional facilities) or symptomatic of local conditions (that is, factors specific to an individual prison or work camp)?

RESPONSE

Factors that either create or facilitate corruption include:

- I. Value of contraband being driven up by (paradoxically) effective barrier controls;
- II. Prison contraband including items freely available in the community (eg mobile 'phones, tobacco etc);
- III. Visitors coming into prisons for contact visits with prisoners (for justifiable human rights reasons) not being strip searched;
- IV. Actions to rehabilitate prisoners requiring greater interaction between prison staff and prisoners, including one on one interaction (and the potential opportunities these present for staff to be corrupted).

These factors are systemic rather than symptomatic of local conditions.

⁷ GEO is by far the largest private operator of prisons in Victoria with capacity to accommodate over 2,000 prisoners

Question 4

What legislative, policy or procedural changes could be made to address corruption risks in correctional facilities?

RESPONSE

As noted in the CCC's *Taskforce Flaxton – Issues Paper and Invitation for Public Submissions*, there are 'currently a number of entities that have a role in oversight of corrective services in Queensland'.⁸ In this submission GEO is concentrating on what policies and procedures are in place at AGCC to identify and act on corruption risks.

- Local policy and procedures are critical and can to some extent be mandated centrally. We apply a range of procedures which could be taken up at other prisons:
 - I. GEO is alert to the need to build and maintain the right workplace culture, and we believe we are seeing success in so doing. Failure to pay proper and constant attention to this important component of the working environment will lead to development of the kind of behaviours outlined above, under which corruption can flourish;
 - II. Staff training is critical in all our centres: we see training as both an opportunity to embed the necessary skills, but also an opportunity to embed and mould critical behaviours which contribute to the kind of culture in which corruption cannot foster;
 - III. Training is not just a once-off induction event, but training to address both skills and behaviour amongst prisons officers is provided according to an annualised training plan;
 - IV. We have an active employee assistance program, through which officers are encouraged to self-identify and address the kind of stressors which leave them open to becoming corrupted. Failure to monitor and genuinely support stressed staff gives prisoners an opportunity to step into the breach;
 - V. We have an effective and active OPI which operates independently of the prison management;
 - VI. Our screening of staff upon each entry to and egress from AGCC meets and exceeds industry best practice.

- In late 2016, GEO introduced an innovative process at AGCC: the 'Incident Review Committee' ("IRC"). Without presuming to know how other correctional facilities are operated, GEO respectfully suggests the CCC might consider recommending its adoption at other facilities in Queensland.
 - I. IRC meets daily, or as required, to review EVERY use of force and prisoner on staff assault incident. They consider incident classification, and review recordings, reports and any other relevant material;

⁸ CCC March 2018 p 2

- II. The multi-disciplinary nature of IRC (management, operations, health, intelligence, programs) reduces the risk of groupthink, cronyism and favouritism;
 - III. Where sub-optimal outcomes are suspected, employees can be asked to discuss the incident with the IRC, who may recommend referral to the OPI investigations, further training, performance management or process improvement.
- GEO regards full recording of prisoner and staff database access as critical, along with the capacity to randomly or constantly audit and test access to this information.
 - GEO believes breaking the cycle of offending behaviour will prevent hardened prisoners returning to prison and corrupting the prison environment. For this reason:
 - I. At Parklea Correctional Centre, GEO developed and ran our REFRAIN program which cuts prisoner re-offending by 75%;
 - II. Junee Correctional Centre has developed and runs its XIT180 programs which cuts prisoner re-offending by 80%;
 - III. Ravenhall Correctional Centre is delivering an entirely new level of service to reduce re-offending and support prisoner reintegration after release;
 - IV. Partnerships with some of Victoria's most respected charities provide integrated services, with prisoners most likely to re-offend provided specialist support packages to reintegrate successfully back into the community;
 - V. For the first time in Australia GEO will operate a community-based reintegration centre to monitor and support released prisoners as they seek to avoid a return to crime;
 - VI. GEO continues to develop award-winning programs to reduce re-offending including Healthy Inside (Australian Council on Healthcare Standards Annual Quality Improvement Awards 2012), Mental Health First Aid for Prisoners Program (Queensland Government), and Live and Learn Suicide Prevention Program (Queensland Government);
 - VII. Fulham Correctional Centre runs its Nalu Challenge Community, which was independently assessed by Corrections Victoria as reducing re-offending by 27% for medium-risk prisoners and 47% for high-risk prisoners at the time of the research;
 - VIII. At Ravenhall Correctional Centre, we have developed Australia's only suite of programs and interventions specifically designed for remand prisoners;
 - IX. GEO has developed and deployed a full suite of innovative in-cell education and program deliverables;
 - X. We have developed at AGCC a prisoner mental health program, as well as applying the Auslan induction package for prisoners who are hearing impaired;
 - XI. GEO at Ravenhall Correctional Centre has pioneered the development of specialised accommodation units (with complementary programs) to help reduce re-offending amongst prisoners with mental illnesses, prisoners who exhibit challenging behaviours, and prisoners who require a separate therapeutic environment to undertake highly targeted programs

- XII. Fulham Correctional Centre has introduced innovative technology to increase the level of interaction with prisoners, and to record vital information on their rehabilitation needs and progress. As a result, Fulham is a leader in Victoria in terms of the volume and quality of its prisoner management records;
 - XIII. GEO has recently invested more than \$12m in developing a completely new 'prison operating system' (Gateway) that provides enhanced security in its prisons, whilst massively increasing the ability of prisoners to access rehabilitation and reintegration services, and at the same time helping them keep in contact with their families;
 - XIV. We have consciously sought ISO accreditation for a range of systems including environmental management, asset management, and quality management, and sought accreditation against other standards for workplace safety; safety management, and food safety; and
 - XV. While none of these accreditations in themselves have a major impact on corruption, they help embed into the workplace a culture whereby corrections staff are committed to exercising the need for attention to detail, adherence to standards, and commitment to quality.
- It is noteworthy that one contract we hold interstate already specifies reduced recidivism as a contract deliverable.
 - Best-practice-outsourcing principles suggest the outsourcer, in this case Government, should specify outcomes rather than outputs. It is, in some respects, more difficult for Government to mandate specific methods of corruption minimisation at privately run correctional centres, while adhering to this principle.
 - GEO is prepared and indeed keen to engage in ongoing discussions with CCC and/or Government about how this inherent conflict can best be resolved.

Question 5

What are the barriers to successfully implementing these reforms and how could these barriers be removed or mitigated?

Are there any other issues that are relevant to understanding corruption risks in Queensland correctional facilities or how address these risks?

RESPONSE

- Policy and programs work best when evidence-based rather than a response to crises. This is particularly so when making choices between reducing criminality or recidivism vs. merely punishing;
- GEO prides itself on being Australia's largest private developer of evidence based correctional programs by investing in:

- I. A national research program, in partnership with Australian universities, to develop and evaluate best-practice programs targeted at reducing re-offending; as well as having
 - II. A national office of Offender Development Services;
 - III. The development and implementation of evidence-based policy and programs.
- Implementing sustainable change can be very difficult, and any significant program, process, policy or legislative initiative which is not accompanied by a properly constructed, resourced, and phased change management process is being set up to fail.
 - Corrections staff, particularly prison officers and their supervisors, are the most critical factor in both implementing on-the-ground reforms, and in eliminating corruption risk in prisons.
 - GEO has the policies and procedures in place to ensure new employees are properly selected, trained, supervised and supported, and properly resourced. GEO believes our policies and procedures makes a significant and meaningful difference in addressing the concerns outlined by the CCC.
 - Accessible and widely understood policies encouraging whistleblowing, or the making of reports of potential and/or actual corruption is critical to ensuring that corrupt activities are identified early, reported and acted upon in a timely and effective manner.
 - Getting and maintaining the right balance in a changing regulatory, operational and supervisory environment is a challenge, and in GEO's view requires ongoing and open dialogue between operators and Government.

CONCLUSION

GEO believes its staff is its greatest asset in addressing the risks of corruption in our correctional facilities. That is why, in valuing their ongoing commitment to ensuring our correctional facilities operate safely and efficiently, GEO invests considerable time effort and resources in their training and monitoring their performance.

Similarly, and in parallel, investing in the welfare of prisoners is a fundamental pillar in corruption risk minimisation.

As this submission demonstrates, GEO has comprehensive corruption risk management strategies and programs in place which are fit for purpose and reflective of the unique role and function of AGCC.

GEO's commitment to the ongoing monitoring of new corruption risks enables Government, QCS and the community to be confident that reasonable and effective anti-corruption measures are in place at the Arthur Gorrie Correctional Centre and being continually reviewed and improved.