Societies of the Western type face two major problems: Wealth is everywhere unequally distributed. So is access to paid work. Both problems contain potentialities for unrest. The crime control industry is suited to coping with both. This industry provides work and profit while at the same time producing control of those who otherwise might have disturbed the social process.


*Down here, you’re either involved in building it or occupying it.*

- Nowra local resident, personal communication, 30 June 2010
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2
STATEMENT OF ORIGINALITY

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ABSTRACT

This thesis considers the contemporary expansion of the NSW penal system through an examination of the State’s newest prison, the South Coast Correctional Centre (SCCC). It demonstrates that a range of factors unrelated to crime rates have converged to encourage the development of this particular facility. These factors are complex, nuanced and often historically and geographically specific.

Some scholars and activists argue that contemporary penal expansion is the result of the successful lobbying efforts of certain influential parties which hold economic and political stakes in increasing levels of incarceration. However, this account of the SCCC suggests that the application of a ‘prison-industrial’ theory will tend to be imprecise, subjective and somewhat conspiratorial.

The SCCC represents a unique web of intersecting and overlapping interests and concerns. Its inception and construction were characterised by the specific circumstances of the Shoalhaven community, the idiosyncrasies of particular personalities, common opportunism and mere chance. Its current form and location are the result of myriad economic, social, political and environmental considerations.

Through its case study of the SCCC, this thesis demonstrates the need for a new approach to the study of the reasons underlying penal expansionism. It suggests that existing accounts of the political economy of prisons are overly simplistic and do not always correspond with empirical evidence. It argues that an holistic account of the reasons behind penal expansion requires a nuanced approach that looks beyond ideas of a ‘prison industry’. Finally, it lays the foundation for further academic work on the nature of the phenomenon of penal expansion today.
MAKING 600 BEDS AND LYING IN THEM:

POLITICAL ECONOMY
AND THE SOUTH COAST CORRECTIONAL CENTRE

1 Introduction

The South Coast Correctional Centre (SCCC) is a 600 bed, $155 million, unisex, multi-classification regional prison. It is located in the town of Nowra on NSW’s South Coast. Designed to be Corrective Services’ ‘showpiece’, the SCCC is state-of-the-art and bears a strong focus on reducing reoffending. The prison was opened by Premier Kristina Keneally on 12 November 2010, its first prisoners arrive on 6 December 2010 and it is due to be fully operational by mid-2011.

The SCCC’s story is unique. It is the culmination of years of debate, planning, building, setbacks, changes of plan and false starts. Its current form and location reflect myriad economic, social, political and environmental considerations that caused both concern and excitement in the community. Being the State’s newest prison, the SCCC is a useful prism through which to view the political, social and academic debates surrounding the unprecedented expansion of the penal system in NSW and across the Anglophone world.

This dissertation examines the contemporary expansion of the NSW penal system through a case study of the inception and construction of the SCCC. It considers how and why a new prison has been built at this particular site, illustrating the economic, social, political and environmental considerations relevant to the development. Through the case study, this thesis examines issues of broader

1 Interview with ST, female community member and administrative officer, Corrective Services NSW (Nowra, 13 July 2010).
relevance to the phenomenon of prison expansion in Anglophone societies into the 21st century.

It will begin by reviewing the existing literature relating to the political economy of penal expansion. It notes the large body of scholarly work that has commented on the dramatic rise in imprisonment rates across many Anglophone nations over the past three decades and the various reasons given for this phenomenon. The review problematises the theory of the prison-industrial complex.² It is suggested that this theory inadequately accounts for the complexity present in this empirical study of the SCCC and argued that a more nuanced, evidence-based approach to the reasons for prison expansion is necessary.

In turning to the SCCC, context is then offered for the analysis conducted herein. First, the geographic, demographic, social, political and economic factors that characterise the Shoalhaven are examined in a general sense. Second, a more specific account of the inception and construction of the SCCC is given. These examinations, conducted with regard to NSW’s newest prison, indicate the way in which penal expansion is occurring in NSW today.

The dissertation then considers why the State’s prison system is expanding as it is. It examines the economic interests and disincentives that community members had in the construction of a prison in their region. It considers issues relating to employment; privatisation; the sourcing of goods and services; expenditure by SCCC employees, visitors and prisoners; the multiplier effect of the prison; local tourism; infrastructural expenditure and the nature of the prison as a long-term investment.

² That is, a belief that the main driver of penal expansionism is the collection of political and economic interests held by certain influential social figures. See below n 7.
In doing so, it is able to provide a complex account of the economic factors considered during the development of a real prison site, rather than attempting to apply a general theoretical viewpoint to this specific case.

Alongside economics, social, political and environmental considerations are examined in turn. Through the use of interviews and primary research, this thesis gives voice to social issues often omitted or ‘glossed over’ in traditional accounts of penal expansionism. It illustrates the hopes for and concerns about the SCCC held by local residents, particularly those of a lower socioeconomic standing. It then explores the political interests of a number of public South Coast figures, which vary greatly in their nature, content and scope, from ardent supporters to those opposed to the development. This section concludes with a consideration of the environmental issues relating to the construction of SCCC including the ecological significance of the region and the pressure for any development to be environmentally safe and sustainable.

These empirical examinations are followed by a reflection on the reasons why and the ways in which penal expansion is occurring today. This thesis concludes that the SCCC exhibits certain elements of a classic ‘prison-industrial’ development but also that this economic and political theory insufficiently explains the developments presented. At times, this work elaborates on parts of the theory and at other points, it diverges completely, suggesting that an holistic examination of the reasons behind contemporary prison expansion requires an approach that looks beyond ideas of a ‘prison industry’. The contribution of this project lies in its rigorous empirical research that is unprecedented in this particular area of Australia penology. It is
hoped that this dissertation will prove an interesting and useful foundation for
further academic work.

II RATIONALES FOR CONTEMPORARY PENAL EXPANSION
AND THE NEED FOR A NEW APPROACH

The dramatic rise in imprisonment rates in some Australian jurisdictions, as well as
the United States, the United Kingdom and certain European nations in recent years
has been well documented. It has been estimated, for instance, that if NSW
maintains its present levels of incarceration, one new medium-sized prison will need
to be built in the State every year.

Many accounts of penal expansion also note a decline in crime rates across the very
jurisdictions that increasingly resort to incarceration. The relationship between these
twin developments is explained in various ways. Some conservative theorists believe
that higher rates of imprisonment are directly responsible for falling levels of crime.
Conversely, a number of liberal scholars and activists attribute penal expansion in
the face of decreasing crime to the political and economic interests of particular
sections of society in a theory known as the prison-industrial complex.

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3 See, eg, Australian Institute of Criminology, ‘New prison figures show increasing rates of
growth’ (Press Release, 8 October 1999); Lyn Hinds, ‘Crime control in Western countries’
David Brown et al, Criminal Laws (4th ed, 2006), 1255-8; Nils Christie, A Suitable Amount of

4 See, eg, Caroline Overington, ‘The growing dilemma over crime and punishment’, The
growing-dilemma-over-crime-and-punishment/story-e6frg97x-1225872282343> at 5 August
2010.

5 See, eg, James Q Wilson, ‘Do the time, lower the crime’, Los Angeles Times (Los Angeles),
June 2008 <http://www.washingtonpost.com/wp-
dyn/content/article/2008/06/20/AR2008062002276.html> at 16 August 2010; Heather Mac
<http://online.wsj.com/article/SB10001424052748703580904574638024055735590.html> at
16 August 2010.
The prison-industrial complex has been defined as ‘a set of bureaucratic, political and economic interests that encourage increased spending on imprisonment, regardless of actual need’.\(^6\) Accounts of the prison-industrial complex highlight the benefits which high rates of incarceration provide to various stakeholders, such as private prison companies; corporations which rely on prison labour in production; corporations that produce goods and technologies specifically for use in the growing penal sphere; politicians who win public support by appearing increasingly ‘tough on crime’ and media which capitalise on reporting on ‘law and order’. Proponents of the prison-industrial complex theory believe that the recent rise in levels of incarceration is due to the social and political influence exerted by the parties who hold these interests.\(^7\)

Penal expansion clearly entails economic and other advantages for certain business and political figures. However, the prison-industrial complex theory is inherently problematic and it presupposes a particular state of affairs that is not necessarily supported by all available evidence. Its subscribers tend to presume the existence of a prison-industrial complex and use this as a prism through which to view various, often divergent, historical developments and contemporary interests; rather than


conducting objective, empirical research and analysis and then drawing appropriate conclusions.

Accounts of the prison-industrial complex are often expressed in broad and general terms. They have a propensity to oversimplify complex issues and provide insufficient evidence to support their claims. The result is literature which expounds a hypothesis that appears unsubstantiated, conspiratorial, subjective and emotive.

One article, for instance, describes the prison-industrial complex as

a confluence of special interests that has given prison construction in the United States a seemingly unstoppable momentum…It is also a state of mind. The lure of big money is corrupting the nation’s criminal-justice system, replacing notions of public service with a drive for higher profits.8

Another scholar asserts:

New construction of prisons is not related to a reduction in crime. It is instead related to improving the income and finances of the people who benefit from victimizing the poor, the illiterate, the ill, and the helpless.9

Yet another commentator concludes that, in penal expansion,

[t]he only victor is big business. For private business, prison labor is like a pot of gold…New leviathan prisons are being built with thousands of eerie acres of factories inside the walls.10

Still other advocates of the prison-industrial complex describe the ‘clandestine stakes’ of companies which rely on prisons for profit,11 the ‘warehousing’ in prisons of those who challenge the capitalist agenda12 and the deliberate attempts of

8 Schlosser, above n 6, 54-5.
9 Falk, above n 7, 153.
10 Goldberg and Evans, above n 7, 13.
11 Angela Davis and Shaylor, above n 7, 2.
12 Vogel, above n 7.
corporations to lobby in favour of racially and sexually discriminatory criminal laws and policies that contribute to their proceeds.\textsuperscript{13}

Some accounts of the political and economic factors that play a role in penal expansion are better than others. Some provide more detailed examinations of the economic, but also the social and environmental, incentives that contribute to penal expansion:

The economic impact of the prisons extends beyond the wages they pay and the local services they buy. Prisons are labor-intensive institutions, offering year-round employment. They are recession-proof, usually expanding in size during hard times. And they are nonpolluting – an important consideration in rural areas where other forms of development are often blocked by environmentalists. Prisons have brought a stable, steady income to a region long accustomed to a highly seasonal, uncertain economy…Prison jobs have slowed the exodus from small towns, by allowing young people to remain in the area…they are viewed as a means of preserving local communities.\textsuperscript{14}

Some accounts of the prison-industrial complex include case studies to illustrate their point.\textsuperscript{15} Others make considerable use of graphs and statistics.\textsuperscript{16} Still others do not employ the term ‘prison-industrial complex’, relying instead on data and anecdotes to speak for themselves.\textsuperscript{17} However, all these accounts are problematic insofar as they presuppose a theoretical framework to which evidence is selectively applied.

The literature of the prison-industrial complex has been robustly criticised by Loïc Wacquant. In \textit{Punishing the Poor}, Wacquant states:

\begin{itemize}
\item[13] Angela Davis and Shaylor, above n 7, 2; Sudbury, above n 7.
\item[14] Schlosser, above n 6, 58.
\item[15] Mike Davis, above n 7.
\item[16] Falk, above n 7.
\end{itemize}
It should not mislead the reader to think that the penalization of poverty is a deliberate “plan” pursued by malevolent and omnipotent rulers – as in the conspiratorial vision framing the activist myth of the “prison-industrial complex”. Nor does it imply that some systematic need (of capitalism, racism, or panopticism) mysteriously mandates the runaway activation and glorification of the penal sector of the bureaucratic field. The latter are not preordained necessities but the results of struggles involving myriad agents and institutions seeking to reshape this or that wing and prerogative of the state in accordance with their own material and symbolic interests.\(^\text{18}\)

Wacquant reiterates:

The leftist activists who rail against the “punishment machine”…mistake the wrapping for the package…I emphatically reject the conspiratorial view of history that would attribute the rise of the punitive apparatus in advanced society to a deliberate plan pursued by omniscient and omnipotent rulers, whether they be political decision-makers, corporate heads, or the gamut of profiteers who benefit from the increased scope and intensity of punishment and regulated supervisory programs trained on the urban castoffs of deregulation.\(^\text{19}\)

By denouncing those who ‘mistake the wrapping for the package’, Wacquant criticises what he considers a conflation of the effects of prison expansion – increased opportunities for political and economic advancement – with its root causes. He argues that such conflation obfuscates the real nature of expansionary penal policies, which he deems ‘an ongoing, routine feature of neoliberalism’ caused by various factors relating to economic deregulation and ‘welfare retrenchment’.\(^\text{20}\)

This thesis aims to demonstrate that penal expansion is not the inevitable product of an all-encompassing scheme by political or economic leaders to advance their interests, as proponents of the prison-industrial complex assert. Expansionist policies are not inexorable and they differ in nature and application. They result from the interrelation of various and often arbitrary historical realities; the nuanced

\(^{19}\) Ibid, 29.
\(^{20}\) Ibid, 310.
circumstances of specific places; the idiosyncrasies of particular personalities; common opportunism and mere chance. This project demonstrates that there are a host of reasons for contemporary prison expansion, many of which are completely unrelated to levels of crimes. But it also provides some empirical support for Wacquant’s argument rejecting the ‘conspiratorial view of history’ which reduces the intricate realities of penal expansion to conjecture couched in terms of a prison-industrial complex.

This thesis contextualises the debate surrounding the political economy of penal expansion in an Australian setting, where little academic work has been done on the issue. It focuses on issues and interests at a grassroots level where, again, the scholarship is sparse. It is a case study, a microscale project, so its findings will be necessarily limited. However, it does demonstrate that – at least in the immediate instance – the realities of penal expansion are far more nuanced than many accounts of the political economy of prisons suggest.

III Profile of the Shoalhaven

Penal expansion is a dynamic phenomenon influenced by a range of economic, political and social factors. This part of the dissertation will consider aspects of life in the Shoalhaven pertinent to the debates surrounding the SCCC. It examines the geography, population and settlement of the region along with socioeconomic factors, crime rates, social issues and political engagement.

A Geography and Natural Environment

The City of Shoalhaven comprises approximately 4567 square kilometres, which lie between Broughton, just north of Berry and North Durras, just north of Batemans
Bay. It is known as a picturesque region, containing mountains, coastal plains, bays, rivers and lakes. The Shoalhaven’s 109 beaches contribute to its estimated 1000 kilometres of coastline. Over 3000 square kilometres of land in the region comprises NSW state forests, national parks or NSW crown lands. Brochures advertising the Shoalhaven to tourists portray it as a pristine place ‘blessed with some of the most scenically beautiful landscapes on the east coast of Australia’.

However, many Shoalhaven residents believe that the geographic isolation of their region – it is located on the southernmost end of the rail line – subjects it to particular challenges. The last stop on the South Coast train line is Bomaderry, at which commuters must disembark and cross the Shoalhaven River Bridge in order to get to Nowra’s central business district (CBD). Many local residents believe this situation contributes to an increased crime rate:

Bomaderry does suffer from being the end of the line. You get a lot of yobbos come from woop-woop, get off the train, do their little breaks and enters and whatnot, get back on the train and go back.

There is also a perception among locals that Shoalhaven is regarded as a ‘dumping ground’ for the State’s undesirable developments, such as the new toxic waste facility at Tomerong and emergency housing for people from Sydney’s metropolitan

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21 See Appendix A: Map of Shoalhaven City.
24 See Appendix B: Map of Nowra in relation to Bomaderry Station.
25 Interview with Lynne Allen, President, Shoalhaven Historical Society (Nowra, 29 June 2010).
area.\textsuperscript{26} Many saw the construction of a prison on the South Coast as another such project.\textsuperscript{27}

\textbf{B Population}

At March 2010, the total population of the Shoalhaven was 95 606.\textsuperscript{28} The most recent aggregated data on the Shoalhaven were collected as part of the 2006 census, when the total population was 88 405.\textsuperscript{29} Of the latter figure, 3311 people or 3.75 percent were Aboriginal, almost double the State average.\textsuperscript{30} The Shoalhaven’s Indigenous population is concentrated in Nowra, where six percent of people identify as Aboriginal.\textsuperscript{31}

Nowra is the nerve centre of Shoalhaven, being its administrative and commercial capital, in addition to the largest town in the region.\textsuperscript{32} Nowra’s population was 30 956 in 2006, which represents a third of the total Shoalhaven population and was

\textsuperscript{26} See ShUTip, Shut Shoalhaven’s Unwanted Tip <http://www.shutip.com/> at 10 September 2010; Mediate Today, South Coast NSW Correctional Centre Community and Stakeholder Consultation Report (2006), 77.
\textsuperscript{30} The 2006 Census states that 2.1\% of NSW residents are Aboriginal or Torres Strait Islander: ibid.
7.5 percent higher than the figure reported by the 2001 census. Although it is a developing hub, Nowra retains a strong sense of community. One local observed that ‘a lot of people still think of Nowra as a small town and of course it’s not. But the mentality’s still with us…there’s very much a village sort of atmosphere’.

C Settlement

The Shoalhaven is made up of 49 towns and villages, which were founded at different times and for different purposes. Modern migration to the Shoalhaven can be roughly divided into three phases. First,

[Early established towns, such as Nowra, Berry, Milton, and Kangaroo Valley, came into being as service centres for the surrounding farming districts and, to some extent, still fulfil this function.

The next major phase came in the period immediately after World War II, when the freedom of movement given by the motor car meant coastal villages, such as Shoalhaven Heads, Huskisson, Culburra, Sussex Inlet and the like became popular venues for both holidays and retirement.

A third wave started in the early 1970s with a demand for a rural style living for both leisure and as a permanent habitation for people working in the region. The most recent trend is for growth based upon a combination of rural lifestyle and telecommuting. The age of e-commerce is having a marked effect on the Shoalhaven.

The sheer number of towns and villages and the variety of ways in which they emerged have created significant diversity in the socioeconomic standing, philosophy and political persuasion of the Shoalhaven’s population. One local claims that ‘there are sort of two Shoalhavens: there’s the retirees, well-to-do, well-educated people,


34 Interview with Allen, above n 25.

35 See Appendix A: Map of Shoalhaven City for location and distribution of these.

and then there’s the very working-class, unemployed sort’. Socioeconomic divisions are geographically notable in the region. Entrepreneurs, retirees and holidaymakers tend to live in the smaller coastal towns, while working people are concentrated in East Nowra, North Nowra, Sanctuary Point and Bomaderry. There are also large communities of professionals, fishers, farmers and Department of Defence employees distributed throughout the Shoalhaven.

D Economy

The Shoalhaven’s unemployment rate has fluctuated but remained relatively high over the past decade. Peaks of 12 percent unemployment were reached in 2000 and 2005, but the rate has remained below 10 percent since June 2007. A low of 5.7 percent unemployment was recorded in September 2009, though the rate is again climbing. At June 2010, 7.9 percent of the Shoalhaven’s labour force of 37,375 were jobless. The unemployment rate for NSW is considerably lower at 5.4 percent and the national rate is lower still at 5.1 percent.

Young people and Aboriginal people are disproportionately represented amongst the Shoalhaven’s jobless. The unemployment rate for 15-19 year olds was 19.6 percent and the rate for 20-24 year olds was only slightly lower at 19 percent at the time of the 2006 census. Similarly, 23 percent of the Shoalhaven’s Aboriginal people were...

37 Interview with Allen, above n 25.
38 Interview with Gareth Ward, Deputy Mayor, Shoalhaven City (Nowra, 14 July 2010).
41 Letter from Noel Rosskelly, Chairman, blueprintShoalhaven to the Secretary, Standing Committee on Infrastructure, Transport, Regional Development and Local Government, 19 June 2008
unemployed in 2006, compared with 19 percent of Aboriginal people across the State.\textsuperscript{42} Unemployment is particularly high in the Nowra-Bomaderry area.

Average income in the Shoalhaven is relatively low. A majority – 52.6 percent – of individuals in the area earn a low income of less than $399 per week.\textsuperscript{43} By contrast, 41.5 percent of people in NSW generally are earning a low income.\textsuperscript{44} Similarly, 29.4 percent of households in the region were earning low incomes, compared with 20.1 percent of all households in NSW.\textsuperscript{45} There is also a smaller proportion of individuals and households earning a high income in the Shoalhaven (10.2 and 10.6 percent respectively) than the State as a whole (18.7 and 23.9 percent).\textsuperscript{46} Aboriginal people in the Shoalhaven earned an average weekly income of $363, which is 21 percent lower the equivalent average for non-Aboriginal people of $457. Socioeconomic disadvantage, like unemployment, is more prevalent in the Nowra-Bomaderry area than the Shoalhaven more broadly.\textsuperscript{47}


\textsuperscript{44} Ibid.


\textsuperscript{46} Shoalhaven City Council, \textit{Weekly Individual Income}, above n 43; Shoalhaven City Council, \textit{Weekly Household Income}, ibid.

\textsuperscript{47} New South Wales Department of Aboriginal Affairs, \textit{Shoalhaven Community Portrait}, above n 42.
The Shoalhaven’s major industries in terms of payment of wages and salaries are manufacturing; government and defence related industries; building and construction; retail trading; community services including health; education and tourism. Of these industries, tourism pays the least.

E Crime Rates

With some exceptions, crime rates in the Shoalhaven are not especially high. The rate of occurrence of property offences in the Shoalhaven is the same as that of the State generally and the rate of violence offences is only slightly higher at 1.2 times the NSW rate.

The rate of domestic violence related assaults is relatively high, as is that of break and enters of dwellings – the Shoalhaven is ranked 28th of 154 local government areas in NSW for both offences. The Shoalhaven also has reasonably high levels of theft from motor vehicles, retail stores and dwellings, ranking 32nd, 35th and 38th in the State respectively in relation to these crimes. The Shoalhaven is ranked 42nd in NSW for its numbers of non-domestic violence related assault and 43rd for instances of malicious damage to property, but in regard to other crimes, the Shoalhaven ranks in the middle or lower range of local government areas.

48 Shoalhaven City Council, General Information, above n 22.

49 Interview with Greg Pullen, Economic Development Manager, Shoalhaven City Council (Nowra, 6 July 2010).


52 Ibid.

53 Ibid.
While the rate of some crimes is rising in the Shoalhaven, the rate of others is falling. Over the past five years, there has been an increased instance of offences relating to liquor; cannabis; offensive language; prohibited or regulated weapons; harassment and threatening behaviour; resisting arrest and breaching bail conditions.\textsuperscript{54} The past two years have seen increases in theft from retail stores and dwellings.\textsuperscript{55} Rates of trespass, break and enters of non-dwellings and motor vehicle theft have declined in the Shoalhaven in recent years and the occurrence of all other crimes has remained stable.\textsuperscript{56}

\textbf{F Social Factors}

The Shoalhaven’s communities are encumbered by a number of what locals call ‘social problems’.\textsuperscript{57} The issues which follow are interconnected and their effects are unevenly distributed through the region, with most being prevalent in the Nowra, Bomaderry and surrounding areas.

First, people in the Shoalhaven have lower than average levels of education. The proportion of people in the Shoalhaven who left school in Year 8, Year 9 and Year 10 (8.5, 12.9 and 35.3 percent respectively) are higher than the State averages (of 6.7, 7.9 and 25.8 percent respectively).\textsuperscript{58} Correspondingly, the region has a lower proportion of Year 12 graduates than NSW as a whole (27.2 percent compared to

\textsuperscript{54} Ibid.
\textsuperscript{55} Ibid.
\textsuperscript{56} Ibid.
\textsuperscript{57} Interview with Shelley Hancock, Member of the Legislative Assembly for the South Coast (Nowra, 30 June 2010); interview with JK, professional female community member (Nowra, 7 July 2010).
42.4 percent). Almost half as many Aboriginal students as non-Aboriginal students graduate from Year 12 in the Shoalhaven.

Second, as has been noted, there are high levels of domestic and family violence in the Shoalhaven. It has been estimated that 80 percent of calls to the Shoalhaven Local Area Command relate to domestic violence. This issue affects Aboriginal people in the Shoalhaven disproportionately.

Third, many people from the Shoalhaven and more specifically Nowra face problems securing housing. The Department of Housing provides 1221 properties for long-term rental in the Shoalhaven, 80 percent of which are located in Nowra or Bomaderry. Approximately 500 properties form a large estate in East Nowra, whose residents are reported to have ‘high level and complex needs’. The Office of Community Housing administers 439 low-rent properties in the Shoalhaven, 350 of which are in Nowra. Thus, of the rented dwellings in Nowra, 28 percent are leased from a housing authority – a considerably higher figure than that of the Shoalhaven

59 Ibid.
60 Shoalhaven City Council, Community Plan, above n 41.
63 BBC Consulting Planners, Socio-economic Impact Assessment, above n 27, 54.
64 Ibid, 27.
65 Ibid, 27, 28.
66 Ibid, 28.
(at 15 percent) and NSW more broadly (15.6 percent). There is also a large number of homeless people living in the Shoalhaven and this number is increasing. Young people and Aboriginal people are especially likely to be homeless.

Fourth, instances of mental illness are relatively high in the Shoalhaven but services for assisting people with mental illnesses are limited. Shoalhaven City was recently identified by the federal Government as an area with a high need for improved mental health services. While some medical facilities for people with mental illness exist in Nowra and Ulladulla, the closest inpatient facility is at Shellharbour and it is not uncommon for patients to experience lengthy waiting periods or to have to travel to Wollongong or Sydney due to shortages of beds. A mental health facility

67 Ibid, 19.


69 See BBC Consulting Planners, Socio-economic Impact Assessment, above n 27, 54; ‘Rising youth homelessness “dire”, ibid.


73 Interview with Amanda Findley, Councillor, Shoalhaven City Council (Nowra, 12 July 2010).
was promised for Shoalhaven Hospital at the 2008 State election but has yet to be built.\textsuperscript{74}

Fifth, substance abuse affects a significant number of Shoalhaven residents. Several community based programs and services to assist people with drug and alcohol problems operate in the region but many of these are over capacity.\textsuperscript{75} Underage drinking and hazardous alcohol consumption by the elderly are issues of particular concern in the Shoalhaven and substance abuse problems disproportionately affect Aboriginal communities in the region.\textsuperscript{76}

It has also been observed that there are high numbers of single parent families and teenage mothers in the Shoalhaven area.\textsuperscript{77}

\textbf{G Political Inclinations}

The broad range of demographics represented in the Shoalhaven creates diversity in the political inclinations of its population. A large number of wealthier retirees, for instance, seem to be well-informed and vocal about political issues at all three levels of government. Similarly, certain members of the affluent business community are politically-minded and can coordinate powerful lobbying efforts. Moreover, people from major cities who have relocated to the Shoalhaven for a sea change or a ‘tree change’ are often interested in progressive liberal politics as well as fiercely protective of the lifestyle and environment, which they migrated in order to enjoy.

\begin{itemize}
\item \textsuperscript{74} New South Wales, \textit{Parliamentary Debates}, Legislative Assembly, 9 June 2010, 24 101 (Matt Brown, Jillian Skinner, Gerard Martin, Peter Besseling, Thomas George).
\item \textsuperscript{75} See BBC Consulting Planners, \textit{Socio-economic Impact Assessment}, above n 27, 53.
\item \textsuperscript{76} Ibid, 53-4.
\item \textsuperscript{77} Shoalhaven City Council, \textit{Living Futures: Shoalhaven Community Safety Plan 2003-2006} (2003), 13.
\end{itemize}
However, there is a large sector of Shoalhaven society which is unengaged in politics. While levels of political apathy are difficult to measure, there is near consensus amongst community leaders in the Shoalhaven that the majority of the population, particularly in Nowra and Bomaderry, is uninterested in political issues. Locals have commented that ‘this is a pretty apathetic community overall’ and that ‘we have a large percentage of the population…who aren’t engaged in politics; decisions tend to be made on their behalf’. One professional stated, ‘we thrive on complacency. And until something is actually in our face, oftentimes we’ll just sit on our hands and do nothing.’

**H Concluding Remarks on the Shoalhaven and its People**

The Shoalhaven has a relatively small, diverse population spread across a large geographical area. It has a significant Aboriginal population. It is an area of high socioeconomic inequality with notable disparity between rich and poor areas and groups. The crime rate is average but rising. The Shoalhaven is affected by a number of issues which also disproportionately affect NSW’s prison populations: low levels of education, high levels of unemployment, domestic instability, homelessness, mental illness and substance abuse. This is the context in which the SCCC emerged.

**IV The Inception and Construction of the South Coast Correctional Centre**

The construction of the SCCC was a long process characterised by false starts and episodes of chance, driven at times by various opinionated personalities and their

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78 Interview with Adam Wright, Reporter, South Coast Register (Nowra, 7 July 2010).
79 Interview with John Hanscombe, Editor, South Coast Register (Nowra, 7 July 2010).
80 Interview with JK, above n 57.
81 See, eg, David Brown, above n 3, 1260.
strongly held – though not always substantiated – views. The account which follows illustrates the haphazard and meandering fashion in which penal expansion occurred at this particular site. It presents a case that sits in contrast to the neat theories of orderly procession to a predetermined end as envisaged by proponents of the prison-industrial complex.

A Early Proposals for a Prison on the South Coast

1 Proposals of the 1980s and 1990s

Discussions about the construction of a prison in the Shoalhaven have been occurring for decades. Shoalhaven City Council mooted the prospect of constructing a prison in its local government area in the 1980s\(^{82}\) and the debate re-emerged at some point in the 1990s.\(^{83}\) Obviously, no discussions or proposals were significantly persuasive during this time, but their recurrence illustrates that the current construction was the conclusion of a long considered idea.

2 The 2002 Proposal

In order to accommodate the additional remand prisoners which the Bail Amendment (Repeat Offenders) Act 2002 (NSW) would create, the 2002-03 State Budget designated funds for an expansion of existing prison facilities.\(^{84}\) On 2 June 2002, then Premier Bob Carr suggested that it might be necessary to build a new prison, possibly on the South Coast or at Campbelltown.

\(^{82}\) Interview with Pullen, above n 49.
\(^{83}\) Interview with Joanna Gash, Member of Parliament for Gilmore (Nowra, 7 July 2010).
\(^{84}\) See, eg, New South Wales, Parliamentary Debates, Legislative Council, 6 June 2002, 2788 (Don Harwin).
Then State Member for the South Coast, Wayne Smith, gave a radio interview at this
time in which he admitted no knowledge of Mr Carr’s plans for a prison on the
South Coast.\textsuperscript{85} He was quoted on 3 June 2002 as saying, ‘neither the community nor
myself is in support of such an idea’.\textsuperscript{86} On 4 June 2002, he spoke extensively in
Parliament about his concerns regarding a prison in his electorate, proclaiming:

A jail does not fit in with th[e] positive image [of the South Coast]. Neither the
community nor I support the idea. Tourists would be turned off visiting the
electorate if they knew there was a jail there. It would be peculiar to talk about the
wonders of dolphins and fishing on the one hand and the possibility of visiting
criminals in jail on the other. A jail is inconsistent with the lifestyle, philosophy and
feelings of the people on the South Coast.\textsuperscript{87}

In response to Smith’s concerns, Premier Carr announced on 6 June 2002 that his
Government would

not build new prisons in these two communities [the South Coast and
Campbelltown] this term, next term or ever. We have listened to the views of the
local members who speak for their communities.\textsuperscript{88}

Smith’s political adversaries and some in the Shoalhaven community condemned his
reaction to the prison proposal. The NSW Liberal Party’s Don Harwin said, ‘there is
absolute amazement in the Shoalhaven at the honourable member’s performance’\textsuperscript{89}

\textsuperscript{85} New South Wales, \textit{Parliamentary Debates}, Legislative Assembly, 4 June 2002, 2467 (Wayne
Smith, Michael Richardson, Elizabeth Kernohan, Graham West); Joanna Gash, ‘Remand
Centre for Nowra’ (Speech, June 2002).

\textsuperscript{86} South Coast Register, 3 June 2002. Quoted in New South Wales, \textit{Parliamentary Debates},
Legislative Council, 6 June 2002, 2788 (Don Harwin).

\textsuperscript{87} New South Wales, \textit{Parliamentary Debates}, Legislative Assembly, 4 June 2002, 2467 (Wayne
Smith, Michael Richardson, Elizabeth Kernohan, Graham West).

\textsuperscript{88} New South Wales, \textit{Parliamentary Debates}, Legislative Assembly, 6 June 2002 (Robert Carr,
John Brogden).

\textsuperscript{89} New South Wales, \textit{Parliamentary Debates}, Legislative Council, 6 June 2002, 2788 (Don
Harwin).
and Federal Member for the region Joanna Gash distributed a flyer and delivered a speech indicating her disdain at Smith’s response to the proposal.90

B A South Coast Prison Re-emerges on the Political Agenda

Industrial developments in 2005 lent a certain attractiveness to the prison proposal. On 9 May, Dairy Farmers announced that its Bomaderry milk factory would cease operating by March 2006. Consequently, 50 full time and 16 part time jobs were lost, with estimations that the flow-on effect resulted in many more positions – up to 220 – lost throughout the South Coast region.91 On 27 May 2005, Gates Rubber stated its automotive hose factory at Nowra would close by mid-2006. One hundred and twenty eight permanent and 14 casual positions were lost and estimations put the flow-on losses of jobs in the region at approximately 500.92

Meanwhile, in 2005, Corrective Services commissioned Capital Insight, an independent provider of planning services, to produce a business case for the expansion of the NSW correctional system by 1000 beds.93 A report prepared by Corrective Services, also in 2005, identified the need for a new prison on the South Coast, with 5600 court attendances in 2004-05 financial year but no correctional or remand centre in the region.94

90 See Gash, ‘Remand Centre for Nowra’, above n 85. See also email from Greg Watson to Sarah Haid, 15 August 2010.
91 New South Wales, Parliamentary Debates, Legislative Assembly, 25 May 2005, 16 168 (Shelley Hancock and David Campbell).
94 The closest correctional centres to the South Coast are at Berrima, Cooma and Goulburn. Mediate Today, Community Consultation Report, above n 26, 6.
On 24 May 2005, the then Premier Bob Carr announced that NSW’s correctional facilities would be expanded by 1000 beds. The expansion was said to be necessary for a number of reasons, including the growth in NSW’s inmate population and medium-term plans to decommission some of the State’s existing prisons. The 1000 new beds would comprise expansions of some existing correctional centres and the construction of a new 500 bed prison. The 2005-06 Budget made provision for the construction of this new prison in regional NSW and the debate surrounding a prison in the Shoalhaven was reignited.

C Selection of a Local Government Area

In mid-2005, political and community figures began to agitate for the prison. State Member for Kiama Matt Brown informally approached the then Mayor of Shoalhaven City Greg Watson to discuss the possibility of locating a new prison in the Shoalhaven. On 22 June 2005, an extraordinary meeting of Shoalhaven’s Industrial Development and Employment Committee, of which Councillor Watson is a member, was convened. A motion was unanimously passed that this Committee should write to local MPs and the Minister for Corrective Services expressing its view that a prison ‘would bring positive economic, employment and social benefits to the Shoalhaven City area’.

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98 Interview with Greg Watson, Councillor, Shoalhaven City Council and former Mayor, Shoalhaven City (Nowra, 21 June 2010).

On 28 June 2005, the Councillors of Shoalhaven City Council voted 10 to three in favour of making a submission expressing their interest in hosting a new prison in the region. Brown welcomed the Shoalhaven’s submission and said he would lobby then Minister of Justice, John Hatzistergos, to shortlist the Shoalhaven. On 19 October 2005, the then Premier Morris lemma announced that a new correctional centre would be in operation somewhere on the South Coast by 2010.

A briefing was held on 7 December 2005 by Corrective Services at Bomaderry for representatives of the Illawarra’s five local government areas ‘to inform them of development plans and seek submissions regarding their willingness and capability to locate a correctional centre in their area.’

Shoalhaven City was the only Council to submit a willingness and capability statement. Kiama declined to make a submission on the basis that there were no suitable sites in the area and that a prison might have a detrimental effect on its tourism industry. Wollongong also declined due to a shortage of suitable land and the construction of the Shell Cove Marina in Shellharbour which left it no capacity for further developments at the time.

Wingecaribee Council passed an initial motion to submit a willingness and capability statement. However, shortly after, the Wingecaribee community’s ‘well-educated, 

101 New South Wales, Parliamentary Debates, Legislative Assembly, 19 October 2005, 18 923 (Matt Brown, Morris lemma).
102 Mediate Today, Community Consultation Report, above n 26, 7.
103 Interview with Matt Brown, Member of the Legislative Assembly, Kiama (telephone interview, 8 July 2010); interview with Gash, above n 83.
105 Ibid.
well-informed…people in well-paid, influential jobs [who know] how to lobby very effectively.\textsuperscript{106} began a concerted bid to prevent their Council from doing so. Telephone calls were made and letters, faxes and emails were sent in protest to the prison.\textsuperscript{107} A public meeting was then held to discuss the issue and a large number of people, who subjected Councillors to strong criticism, attended.\textsuperscript{108} Wingecaribee Council eventually relented and agreed not to submit a willingness and capability statement and consequently Wingecaribee was never officially considered as a potential site for the new prison.

D Selection of a Construction Site

1 Identification of Potential Sites

Concurrently with the local government area selection, a process to select a site for the construction of new prison was taking place. From 13 February to 28 March 2006, property owners could express interest in having their land acquired for the construction of the prison. A Corrective Services spokesperson declared at the time, ‘[i]f a bloke out the back of Thirroul somewhere has enough land and thinks it would be suitable as a jail site there’s nothing to stop him from showing an expression of interest’.\textsuperscript{109} Landowners from any of the Illawarra’s five local government areas could offer their land, leading local media to observe that those

\textsuperscript{106} Interview with Jim Clark, Councillor, Wingecaribee Council (telephone interview, 15 July 2010).
\textsuperscript{107} Ibid.
\textsuperscript{108} Ibid.
\textsuperscript{109} Andrew Drummond, ‘Landowners get chance to submit sites for new jail’, Illawarra Mercury (Wollongong), 16 March 2006, 11.
‘keen to cash in on their acreage’ could ‘cause a headache’ for councils which had decided they did not want to host the new prison.\textsuperscript{110}

Ultimately six different sites were put forward by owners in three local government areas and a search for further suitable land resulted in the identification of two more properties.\textsuperscript{111}

Corrective Services assessed Shoalhaven City Council’s willingness and capability statement and the expressions of interest made by landowners concurrently between 30 June and 28 August 2006. On 18 September 2006, the then Minister for Justice Tony Kelly announced that he had shortlisted four sites in the Shoalhaven.\textsuperscript{112}

The effect of this announcement was that the Shoalhaven had, by default, ‘won’ the prison for its local government area.\textsuperscript{113}

2 Community Consultation

On the same day as Mr Kelly announced the short list of sites, a process of consultation with the Shoalhaven community commenced. This was conducted by Mediate Today, an independent commercial dispute resolution provider which specialises in ‘positive community and stakeholder participation’ to ‘achieve project

\textsuperscript{110} Ibid.
\textsuperscript{111} Mediate Today, \textit{Community Consultation Report}, above n 26, 7.
\textsuperscript{112} Shoalhaven City Council, \textit{Mayoral Minute}, 26 September 2006. See Appendix C: Map of potential construction sites.
\textsuperscript{113} Language of Shoalhaven City Council Industrial Development and Employment Committee, \textit{Report of General Manager}, 5 September 2005; see also Interview with Pullen, above n 49.
objectives’. Mediate Today was contracted by Corrective Services to conduct this consultation and the SCCC is the fourth prison it has been involved in locating. Mediate Today facilitated a series of meetings between Corrective Services and 17 specifically identified stakeholders. The broader Shoalhaven community was also consulted through, first, 1200 postal information packs and feedback forms; second, a 1800-number information line; third, a webpage linked to Corrective Services’ website which was live for 40 days and fourth, an information centre established at 64 North Street, Nowra which was open for seven days in October 2006.

It was a source of much consternation in the Shoalhaven that community consultation did not occur before Council made its initial decision to host the prison but only afterwards, as to where it might be situated. Mediate Today, Community Consultation Report, above n 26, 5 (comments of traditional owners of the land); interview with Rod Foyel, community member (telephone interview, 25 September 2010); interview with Ward, above n 38; interview with Hanscombe, above n 79; interview with Allen, above n 25.

3 Selection from the Short List

The first of the sites identified by Kelly, Site A, had the highest approval rating amongst locals from the Nowra-Bomaderry area. It comprises approximately 120 hectares of land and lies adjacent to the Princes Highway four kilometres south of Nowra’s CBD. It is situated in Nowra’s industrial complex and owned by the Department of Lands. This site had the best access of the four to water, sewage, gas


115 Ibid.


117 Mediate Today, Community Consultation Report, above n 26, 5-6.
and electricity and was in proximity to services such as police and legal support. On 13 December 2006, Tony Kelly announced that the new prison would be built on Site A.

**E Call for Tenders**

On 14 January 2008, Matt Brown called upon four selective tenderers to tender for the contract to construct the SCCC. The tender process was opened before the project had been approved by the Department of Planning. SCCC Project Manager Lindsay Charles with the Department of Services, Technology and Administration advises that by ‘introducing innovation into the tendering process’ in this way, ‘the Department managed to realise substantial savings’. Calling for tenders before the project was officially approved allowed tenderers to have input into the final contract documents (with a fairer sharing of risk), and allowed them to provide savings through the tender system by initiating commercial-in-confidence alternatives.

The project received official planning approval on 10 June 2008.

**F Construction**

The contract was awarded to Richard Crookes Constructions in mid-2008. This corporation was also responsible for building the Dillwynia, John Morony and

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119 Email from Lindsay Charles to Sarah Haid, 21 September 2010.

120 Email from Lindsay Charles to Sarah Haid, 24 September 2010.
Wellington Correctional Centres and the Frank Baxter Juvenile Centre.\textsuperscript{121}

Construction had commenced by late November 2008, after a traditional Aboriginal smoking ceremony cleared the site.\textsuperscript{122}

SCCC General Manager, Dave White, moved to the Shoalhaven at the time construction began. White is forthright, well-informed and measured in his approach; he is trusted and respected in the community, even by critics of the prison.\textsuperscript{123} His management of the SCCC – particularly his ability to communicate with and allay the concerns of community members – appears to have been instrumental in the success of the project.

\textbf{G Expansion}

In September 2009, after construction had begun, Corrective Services lodged an application in accordance with s 75W of the \textit{Environmental Planning and Assessment Act 1979} (NSW) to increase the capacity of the SCCC by 100 beds and to construct a 40-bed, non-custodial community offender support program (COSP) centre on the prison site. Expansion of the SCCC was approved on 27 May 2010.

\textbf{H Concluding Remarks on the Inception and Construction of the SCCC}

The SCCC was affected by various social, political and economic influences throughout its development. At a number of points throughout its inception, these factors might have led to a different outcome altogether. At least three proposals for


\textsuperscript{123} Interview with Findley, above n 73; interview with ST, above n 1; interview with Allen, above n 25; interview with Gash, above n 83; interview with Hancock, above n 57; interview with Paul Green, Mayor, Shoalhaven City (Nowra, 12 July 2010).
a South Coast prison were made before the successful application mandated work on the current SCCC. The last of the unsuccessful proposals was rejected purely on the basis of one political leader’s ideological convictions, before this rejection too, was junked. Locations were proposed in five local government areas, on four shortlisted sites. Finally, the SCCC could have been 100 beds smaller than it currently is and it might not have encompassed a COSP centre. This evidence supports a view of the expansion of NSW’s penal system as driven by chance occurrences, social realities and short- to medium-term political calculations, rather than being a well organised strategic development driven by a particular lobby group.

V Economic Issues

The importance of economic interests in expansionist penal policies has been commented on by numerous scholars and activists. However, rarely do accounts of these interests examine their character in sufficient detail or note the economic detriments which tend to accompany them. Moreover, many such accounts focus on the interests and lobbying efforts of large, often multinational corporations rather than examining economic issues at a grassroots level.

This part of the dissertation, therefore, considers the broad range local economic issues relating to the SCCC in some detail. It examines first, a variety of

124 See, eg, Lilly and Knepper, above n 7; Mike Davis, above n 7; Goldberg and Evans, above n 7; Schlosser, above n 6; Angela Davis and Shaylor, above n 7; Braz, above n 7; Christie, Crime Control as Industry, above n 7; Ladipo, above n 7; Angela Davis, above n 7; Sudbury, above n 7; Falk, above n 7.

125 See, eg, Lilly and Knepper, ibid; Mike Davis, ibid; Goldberg and Evans, ibid; Braz, ibid; Ladipo, ibid; Angela Davis, ibid. The works of Christie, Schlosser and Falk are more comprehensive but, to varying extents, still convey issues at a high level of generality and/or in a conspiratorial manner.

126 However Mike Davis’ and Schlosser’s papers contain some discussion of local economic issues.
employment-related matters; second, the proposition to privatise the SCCC; third, the manner in which the prison will source goods and services; fourth, the impact of expenditure by SCCC employees, prisoners and visitors; fifth, the multiplier effect of the prison on the Shoalhaven economy; sixth, the impact of the SCCC on local tourism; seventh, the State Government’s financial contribution to regional infrastructure and finally, the nature of the prison as a long-term investment.

This section reiterates the importance of economic issues to the phenomenon of penal expansion, as noted elsewhere, but it paints a nuanced picture of these issues. The financial benefits expected to accompany the SCCC were a key incentive for many in the Shoalhaven to support it. However these anticipated advantages did not all come to fruition and those that did often benefited unexpected parties in unpredictable ways. In addition, the prison entailed some notable economic detriments for the Shoalhaven community. The discussion which follows demonstrates that the relationship between economic interests and prison development is a close one but, at least in the immediate instance, it is far more complex than simply a matter of cause and effect.

A ‘Jobs for Nowra’: Employment

The employment opportunities associated with a new prison are one of the most significant features of the debate surrounding the SCCC. The focus on employment was exemplified by former Opposition Leader John Brogden’s contribution to one parliamentary debate about the potential for a South Coast prison, which consisted entirely of interjections of ‘jobs for Nowra’ and ‘no jobs for Nowra’.

127 New South Wales, Parliamentary Debates, Legislative Assembly, 6 June 2002 (Robert Carr, John Brogden).
Job opportunities were of great importance to locals: 60 percent from the Nowra-Bomaderry area thought they were a key benefit of the SCCC.\textsuperscript{128} This created an effective selling point for community leaders. For instance, then Mayor Watson publically announced at the time of the 2005 plant closures, ‘[w]e are losing two industries in Gates Rubber and Dairy Farmers, which will cost us about 250 local jobs. This facility would just about totally replace those jobs.’\textsuperscript{129} Soon after, Watson went even further, stating ‘[w]e’ve lost a couple of significant manufacturing industries…and a prison would more than make up for the jobs lost.’\textsuperscript{130} Comments of this nature likely reinforced positive attitudes towards the SCCC.

1 Employment in Construction

The considerable number of short- to medium-term positions created by the construction of the SCCC generated excitement in the Shoalhaven. Community newspapers reported these opportunities with excitement in articles titled, for example, ‘Jail’s Jobs Boost’ and ‘Jobs Boom on the Way’.\textsuperscript{131}

\begin{thebibliography}{99}
\bibitem{128} Mediate Today, \textit{Community Consultation Report}, above n 26, 3, 23.
\bibitem{129} Roderick, ‘Nowra in bid for new prison’, above n 100.
\bibitem{130} Antony Field, ‘Jail would boost jobs’, \textit{Illawarra Mercury} (Wollongong), 11 October 2005, 3.
\end{thebibliography}
Ultimately, over 900 people were involved directly or indirectly in the construction of the prison. At the peak of construction, the onsite daily workforce was approximately 300 people. About 90 apprentices worked on the project.\textsuperscript{132}

There was concern amongst locals that the construction workforce would comprise mainly of people who did not come from the Shoalhaven. It is estimated that 50 percent of the workers involved in building the SCCC were drawn from the Shoalhaven area.\textsuperscript{133} However, there remains a sense in the community that many local tradespeople and subcontractors missed an opportunity for employment in favour of workers from Sydney, Wollongong and elsewhere.

2. Employment within the SCCC

(a) Numbers of New Positions

There are 250 positions directly associated with the operation of the SCCC. One hundred and fourteen of these are for correctional officers; 38 are for trades overseers; 39 are in offender services and programs; 15 are administrative; 25 are for Justice Health staff and 19 are in community corrections.\textsuperscript{134}

\textsuperscript{132} In her email of 21 September 2010, Lindsay Charles advised that 87 apprentices had worked on the SCCC project, whereas Premier of New South Wales, ‘$155 Million South Coast Correctional Centre Completed’ (Press Release, 12 November 2010) puts the number of apprentices at 92.

\textsuperscript{133} Email from Lindsay Charles to Sarah Haid, 21 September 2010.

\textsuperscript{134} Email from Dave White to Sarah Haid, 22 September 2010. These numbers are consistent with the staffing structure at the Mid North Coast and Dillwynia Correctional Centres: see Crown employees (Correctional Officers, Department of Corrective Services) Award for Kempsey, Dillwynia and Wellington Correctional Centres (2004) <http://www.correctiveservices.nsw.gov.au/_media/dcs/careers/relevant-awards/Correctional_Officer_Award.pdf> at 2 November 2010.
Local people showed a great deal of interest in employment within the SCCC:

Corrective Services’ recruitment information sessions in June 2010 were attended by a total of 900 people and there were 500 applicants for the 114 correctional officer positions. There are several reasons for this attraction to prison work.

First, the region offers few opportunities for jobseekers and the positions which are available are relatively unvaried and often mundane with little chance of promotion. One local described her attraction to a correctional officer position as follows:

In Nowra there’s not many places you can actually go to for work. You’ve got Defence, Council and the paper mill, they’re the biggest organisations. New jail in town: lots of jobs, lots of career advancement. So that was basically it and yeah, I was intrigued about the jail. Never had anything to do with one so I thought hm, this might be an interesting career path.

Second, the SCCC promised job security to Shoalhaven people. The positions available in the prison were ‘stable, year round positions that are not seasonal or varying’ and locals were advised that ‘[t]enure of employment for correctional centre staff is very secure’.

Third, the opportunity to make a contribution to community wellbeing appealed to some locals. One resident who was raised in government housing and states that she did not have ‘a proper upbringing’ said:

I can see where some of these guys actually go the wrong way… I figure that [I could be] a good role model…I can relate to them. And actually say, you know, you don’t...
have to continue along this road. I turned at a point, obviously I passed that point, but you can do it. And yeah, I'd like to make a change in someone's life at least.\textsuperscript{139}

Fourth, locals were enticed by the remuneration packages offered to recruits. The commencing salary for a correctional officer is $51,707 plus an allowance of up to $850 per annum. The commencing salary for an overseer is $64,985 plus $2,549 in allowances.\textsuperscript{140}

Finally, the prospect of a higher employment rate in the Shoalhaven appealed even to working community members of higher socioeconomic standing. These people believed that lower unemployment rates would translate into a stronger local economy as well as a safer, more cohesive society.\textsuperscript{141}

\textbf{(c) Local Recruitment}

The number of positions within the SCCC to be held by locals is a source of uncertainty and anxiety for people in the Shoalhaven. Local reporter Adam Wright stated:

\begin{quote}
We can't prove either way whether those jobs are going to come from the local area or not. We've heard they're all going to be transfers from other jails, but you've got the politicians saying, 'no, they'll all be local jobs'.\textsuperscript{142}
\end{quote}

A certain proportion of the new positions will be filled by experienced correctional staff who come from outside the Shoalhaven. This is justified by Corrective Services

\begin{flushright}
\textsuperscript{139} Ibid.
\textsuperscript{141} Interview with Matt Brown, above n 103; interview with Green, above n 123.
\textsuperscript{142} Interview with Wright, above n 78.
\end{flushright}
as being necessary for stability and security, both within the prison and in the broader community.\footnote{143} 

The target for local recruitment is set at 60 percent of the total number of jobs and whether that target is met is said to depend on the availability of local people with the skills and experience required for the vacant positions.\footnote{144} There is acknowledgement and some disappointment within the Shoalhaven that this situation makes many locals eager to work ineligible for positions. ‘There’s not too many unemployed doctors in Shoalhaven. There’s not too many unemployed psychologists in Shoalhaven and…one would expect that most of those will probably be coming from outside\footnote{145}’ said Economic Development Manager Greg Pullen, while South Coast Register Editor John Hanscombe observed, ‘we’re not crawling with trained correctional officers in this part of the world’.\footnote{146} 

Notably, it is unclear what constitutes ‘the local area’ for the purposes of SCCC recruitment. It is likely that this term encompasses an area broader than Nowra or even Shoalhaven City. Those considered ‘locals’ may be people from anywhere on the South Coast, from Wollongong to the Victorian border.

Of the vacancies associated with the SCCC, only the correctional officer positions have been finalised. Fifty of these 114 positions were filled by local applicants. If employment for the remaining positions in the prison follows this trend, less than half of the jobs in the SCCC will be filled by locals, even in the broader sense used

\footnotesize{
\textsuperscript{143} Interview with White, above n 135. \\
\textsuperscript{144} Ibid. \\
\textsuperscript{145} Interview with Pullen, above n 49. \\
\textsuperscript{146} Interview with Hanscombe, above n 79.}
by Corrective Services. This is a cause for consternation in the Shoalhaven, where locals were assured by their Mayor that a new prison would 'more than make up for' the jobs lost in the area in recent years. Some feel deliberately misled. The official response to such people is:

What Council always put forward was, we were creating 250 pay packets. And a wage and a salary stream to support that. If at the end of the day there's only 60 locals who get jobs out of it…Council's not perturbed.147

3 Aboriginal Employment

Aboriginal employment in the SCCC was a priority for Corrective Services, the Department of Commerce (the Department) and Shoalhaven Community members alike, due to the disproportionate representation of Aboriginal people in the State’s prisons and because 'levels of Aboriginal unemployment are exceptionally high in the Nowra area’.148

(a) Early Discussions and Targets

Adjoining the site chosen for the SCCC was a 7.2 hectare parcel of land subject to an Aboriginal land claim. Aboriginal community leaders sold this land to the NSW Government under now repealed s 40D of the Aboriginal Land Rights Act 1983 (NSW) on the condition that high targets for Aboriginal employment would be set.149 During early discussions, some local leaders proposed that Aboriginal

147 Interview with Pullen, above n 49.

148 Lindsay Charles in 'Jail construction to boost Indigenous jobs', above n 131; see also interview with Hancock, above n 57; interview with White above n 135; interview with Ward, above n 38; interview with Gary Pudney, Principal Solicitor, South Eastern Aboriginal Legal Service (Nowra, 12 July 2010).

149 Interview with Pudney, ibid; interview with BH, GW, KC and TU: Aboriginal Elders, Nowra (Nowra, 17 August 2010); Mediate Today, Community Consultation Report, above n 26, 72.
employment in the prison should reflect the proportion of Aboriginal people in the Nowra community.\textsuperscript{150}

\textit{(b) Indigenous Employment in Construction}

The SCCC is the largest of 15 major construction projects designed to create employment for 100 of the State’s Aboriginal people.\textsuperscript{151}

In order to ensure a high level of Aboriginal participation in the construction of the SCCC, a new approach was taken to the project. Usually, under the NSW Government Guidelines for Aboriginal Participation in Construction, contractors prepare and submit Aboriginal Participation Plans as part of the tender process.\textsuperscript{152}

With the SCCC project, the Department ‘retain[ed] ownership of the model’.\textsuperscript{153}

This involved the development of an Aboriginal Participation Plan by the Department itself, which was included in the tender documents. Tenderers were required to commit to the goals of the Aboriginal Participation Plan and to their obligations under it.\textsuperscript{154} The Department also established an Aboriginal Consultative Committee in the Shoalhaven and a skills register, containing the names and contact details of local Aboriginal workers and their areas of expertise. Moreover, pre-apprenticeship

\footnotesize
\begin{itemize}
\item \textsuperscript{150} Mediate Today, \textit{Community Consultation Report}, above n 26, 71.
\item \textsuperscript{153} Charles, ibid.
\item \textsuperscript{154} Ibid.
\end{itemize}
training was provided to 201 Aboriginal people to ensure they would be prepared for the employment opportunities that arose.\textsuperscript{155}

When the tender had been awarded, the Department met with major subcontractors and informed them about obligations regarding Aboriginal employment. The Department also conducted cultural awareness training for the contractor and subcontractors working on the SCCC and placed an Aboriginal mentor onsite to assist and support apprentices.\textsuperscript{156}

The Aboriginal Participation Plan developed by the Department set the target for Aboriginal participation in construction at six percent. It was aimed that 75 percent of the Aboriginal workforce should come from the Shoalhaven area, that 75 percent of the positions would involve some training each quarter and that at least 10 positions would be created for apprentices and trainees.\textsuperscript{157} All these targets were surpassed. Ultimately, 95 people involved in building the SCCC, or 10.12 percent of the total construction workforce, were Aboriginal. All of these people were given training and 96 percent were from the Shoalhaven region. Twenty-four Aboriginal trainees and apprentices were employed in the project.\textsuperscript{158} These employment outcomes are considered significant and positive by most stakeholders and the process has been nominated for a Premier's Public Sector Award.\textsuperscript{159}

\textbf{(c) Aboriginal Employment within the SCCC}


\textsuperscript{156} Ibid.

\textsuperscript{157} Charles, South Coast Correctional Centre: Aboriginal Participation in Construction, above n 152.

\textsuperscript{158} Email from Lindsay Charles to Sarah Haid, 21 September 2010.

\textsuperscript{159} Ibid.
During consultation with the Shoalhaven community, Corrective Services staff identified 22 Aboriginal people interested in applying for positions as correctional officers or trades overseers in the SCCC. Literacy and numeracy training was provided to 13 of these people to prepare them for the application exams, in order to give Corrective Services ‘a good pool of people to choose from’ when recruiting.\(^{160}\)

Of the 114 correctional officer positions at the SCCC, 15 or 7.6 percent have been filled by Aboriginal applicants. Of the 15 administrative positions at the prison, at least one will be held by an Aboriginal cadet and one by an Aboriginal trainee.

4 Effects of Inmate Employment

(a) Effect on the Unemployment Rate

The SCCC has been designated a ‘working prison’\(^{161}\) in which all convicted prisoners are expected to participate in work ‘as an essential component of both inmate development and correctional centre management’.\(^{162}\) The prison has thus created approximately 500 jobs in call-centre work, carpentry, metallurgy, possibly plumbing and other trades to be filled by prisoners,\(^{163}\) which is, in a sense, a ‘jobs boom’ for Nowra. It is likely that a large number of the people incarcerated in the SCCC will be drawn from the Shoalhaven’s jobless population and by effectively forcing these


\(^{161}\) Dave White, personal communication, 30 June 2010.


\(^{163}\) See interview with White, above n 135; Interview with ST, above n 1; Michelle Hoctor, ‘Justice 2010 style’, *Illawarra Mercury* (Wollongong), 27 November 2010, 54.
people to work, the SCCC will have the result of significantly decreasing the region’s unemployment rate.  

(b) Effect on Local Industries

Local people were concerned that work undertaken inside the SCCC by inmates would damage the Shoalhaven’s industries. One local stated, ‘let’s face it, everybody’s trying to work hard for a dollar. You don’t want a jail to be producing things that are the same, you know, whether it be a print factory or whatever it is, it’s not fair.’

This was particularly a concern in relation to the work done by the Flagstaff Group, an employer of people with disabilities, whose head office lies on the South Coast near Wollongong.

Corrective Services acknowledged this concern and tried to address it early in the consultation process. Community stakeholders were assured that Corrective Services Industries’ consultative committee had investigated the region and that the SCCC would not ‘compete with, undercut [or] take work from’ local businesses or people with a disability, such as those employed by the Flagstaff Group.

B Public or Private?

The Community Consultation Report produced by Mediate Today states that the ‘Minister for Corrective Services is committed to a publicly run correctional centre


165 Interview with JK, above n 57.

166 Mediate Today, Community Consultation Report, above n 26, 13, 81, 94.

167 Ibid, 74, 93.
on the South Coast’ and that locals should ‘assume [the SCCC] will be operated by the public sector. However this will depend on the outcome of Kempsey, Wellington and Dillwynia centres.’

In late 2007, Matt Brown raised the possibility of the SCCC being run by a private operator and sought ‘community views as to who they wanted as their partner in the facility’. This proposal followed the release of a report called Value for Money from NSW Correctional Centres, administered by Brown, which highlights the benefits of private prisons for various stakeholders including Government.

There was some support for a privately-run SCCC: Shoalhaven Business Chamber and Shoalhaven City Council were in favour of such an arrangement. However there seems also to have been significant opposition to the proposal, possibly from the Public Service Association of NSW. Brown now advises that the SCCC will remain a public facility for as long as there is a NSW Labor Government.

C Sourcing of Goods and Services

Expenditure on local goods and services by SCCC management was seen by many as an important benefit which the prison would bring to the region, particularly given

168 Ibid, 72, 90.
172 Interview with Matt Brown, above n 103.
the estimated $5.2 million in annual operating expenses. However, some local suppliers expressed anxiety that they would not benefit from the SCCC in this way due to mandatory Government tendering and procurement processes.

The purchasing policy of the SCCC is dictated by State Government contracts and legislation such as the *Public Finance and Audit Act 1983* (NSW). It is likely to follow the approach taken in the Mid North Coast Correctional Centre (MNCCC), which is that where possible, purchases must be made: first, using State Government contracts; second, from Corrective Services Industries; and third, from ‘vendor held suppliers which have entered into a specific agreement with’ Corrective Services. There is some capacity for recourse to be made to local suppliers under the first and third elements of this policy. Moreover, where none of the three rules apply, purchases may be made from any supplier and efforts are made to source goods and services locally.

One of the biggest local concerns in this regard is that all food consumed by prisoners is sourced from and prepared outside the area. Originally there was a proposal to install a ‘special needs’ kitchen at the SCCC which would produce Halal, Kosher and lactose- or gluten-free food for prisoners across the State. But this proposal attracted some disdain in the local community and as it stands, there is no kitchen at the SCCC of any kind. All meals will be produced at the commercial

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176 Ibid.
179 Interview with JK, above n 57.
kitchens at John Morony Correctional Complex and Silverwater Correctional Centre, packaged, frozen and sent to the SCCC for reheating. Some residents of what was originally Sydney’s ‘food bowl’ are disappointed at this arrangement.\textsuperscript{180}

There is nevertheless evidence that a number of suppliers have benefitted from the project. During construction, services and supplies were sourced from a number of corporations based in the South Coast region including Select Civil, an engineering company from Unanderra; Nowra Cranes; Barnic Timbers, based in Worrigee; Hansons Construction Materials from South Nowra and South Coast Refrigerators and Air Conditioning.\textsuperscript{181} Once the SCCC opens, local companies will likely be involved in maintenance of the prison.\textsuperscript{182} Some resources, such as the vehicle fleet for the SCCC, have been sourced from local suppliers.\textsuperscript{183} Furthermore, cleaning supplies, stationery and catering may be purchased from local stores on a small scale using petty cash.\textsuperscript{184}

Locals who are disappointed that more goods and services for use by the SCCC are not drawn from the region emphasise that a privatised prison would allow far more opportunity for local sourcing of supplies.\textsuperscript{185}

\textsuperscript{180} Interview with Hanscombe, above n 79.

\textsuperscript{181} New South Wales, \textit{Parliamentary Debates}, Legislative Council, 12 May 2009 (Ian West, John Robertson, Michael Gallacher, John Della Bosca).

\textsuperscript{182} BBC Consulting Planners, \textit{Socio-economic Impact Assessment}, above n 27, 59.

\textsuperscript{183} Interview with White, above n 135.


\textsuperscript{185} Alex Arnold, ‘Hard cell: Council to back private jail concept’, \textit{Illawarra Mercury} (Wollongong), date unknown, 1; interview with Watson, above n 98.
Many in the Shoalhaven predicted benefits arising from expenditure by staff, prisoners and visitors in the region.

Base salaries paid to SCCC employees have been estimated to amount to $11.3 million per year, while other employee-related payments are thought to come to $6 million annually.\textsuperscript{186} It is estimated that of these amounts, $10 million per year may be spent in the Shoalhaven,\textsuperscript{187} however some locals have expressed doubt about this claim, reciting anecdotes of correctional staff hesitant to encounter the families of inmates who refuse to live in the vicinity of their work.\textsuperscript{188}

Moreover, inmates will receive approximately allowances of $18-60 per week to spend on food, toiletries and newspapers as well as more substantial items such as training shoes and stereos.\textsuperscript{189} It is estimated that $12 500 could be spent weekly in the local community in this way.\textsuperscript{190}

Finally, visitor spending has the potential to contribute to the local economy. Families and friends of prisoners from outside the area, legal representatives and others visiting the prison for business reasons will spend money on meals, accommodation and local transportation. However as most prisoners and their

\textsuperscript{186} BBC Consulting Planners, \textit{Socio-economic Impact Assessment}, above n 27, 59.
\textsuperscript{187} Premier, ‘$155 Million South Coast Correctional Centre Completed’, above n 132; interview with White, above n 135; interview with Watson, above n 98.
\textsuperscript{188} Interview with Findley, above n 73; Interview with JK, above n 57.
\textsuperscript{189} Hoctor, ‘Justice 2010 style’, above n 163.
\textsuperscript{190} BBC Consulting Planners, \textit{Socio-economic Impact Assessment}, above n 27, 60.
visitors are expected to come from the South Coast region, this kind of expenditure is expected to be minimal.\textsuperscript{191}

\section*{E ‘The Beauty of It’: The Multiplier Effect\textsuperscript{192}}

One of the most significant economic benefits of the presence of the SCCC appears to be the multiplier effect that it will have on the local community. The multiplier effect is defined as ‘the result that a change in investment spending (or other autonomous spending) gives rise to a larger change in the output-income level’.\textsuperscript{193} That is, the effect that an investment in a particular economy will result in a much higher increase in the gross product of that economy than the amount of the initial investment.

The multiplier effect can perhaps best be explained by way of demonstration. Suppose the Federal Government invests $10 billion in a national broadband network. This investment results in increased profits for shareholders and increased wages for employees of the corporations involved in the project. These stakeholders respond to the increase in their income by spending more money, thus raising aggregate demand for goods and services. But ‘the multiplier effect continues even after this first round’.\textsuperscript{194} As consumer spending rises, the corporations which produce consumer products experience higher profits and employ more people to cope with demand. These ‘[h]igher earnings and profits stimulate consumer spending once again’ and so the multiplier effect continues to increase Australia’s gross

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\begin{itemize}
\item \textsuperscript{191} Spending in Kempsey by visitors to the MNCCC was found to be minimal. Ibid, 61.
\item \textsuperscript{192} Interview with Pullen, above n 49.
\item \textsuperscript{193} J Jackson et al, Macroeconomics (8th ed, 2007), 220.
\item \textsuperscript{194} R Stonecash et al, Principles of Macroeconomics, (3rd ed, 2005), 375.
\end{itemize}
domestic product, although the significance of the multiplier effect decreases with each successive step.\textsuperscript{195}

A multiplier is defined as the ratio of the change in an economy’s real gross product to the amount of the initial investment.\textsuperscript{196} Taking the previous example, if Australia’s gross domestic product increased by $30 billion as a result of the Government’s expenditure of $10 billion, the multiplier would be calculated as $30 billion : $10 billion or three.

In 1996, a study was undertaken of the effects of the Lithgow Correctional Centre on the local economy of Lithgow and its surrounding region.\textsuperscript{197} In that study, the output multiplier of the prison, or the multiplier in relation to the amount spent by the institution itself in the local community, was estimated to be 1.34. The income multiplier, or the multiplier in relation to local employees’ wages and allowances, was calculated at 1.38. Finally, the employment multiplier, or the multiplier concerning numbers of people employed by the prison, was held to be 1.44.\textsuperscript{198} As no more recent study of the multipliers delivered by prisons has been done, an approximation of these figures is thought to apply to the SCCC.\textsuperscript{199}

It is this multiplier effect that South Coast community leaders in favour of the prison ‘are chasing’.\textsuperscript{200} Although the precise economic nature of the multiplier effect is not

\textsuperscript{195} Ibid, 375-6.
\textsuperscript{196} Jackson, above n 193, 220-1.
\textsuperscript{198} Ibid.
\textsuperscript{199} BBC Consulting Planners, Socio-economic Impact Assessment, above n 27, 61.
\textsuperscript{200} Interview with Pullen, above n 49.
widely known in the community, many locals speak of a positive ‘flow-on’ to local businesses from SCCC expenditure.\(^{201}\)

The SCCC is not set to become one of the Shoalhaven’s major employers, but the prison’s expenditure as amplified by the multiplier effect is thought to be so significant that it will become an important and permanent feature of the local economy.\(^{202}\)

F Effect on Tourism

Fifteen percent of people from the Nowra-Bomaderry area were concerned about the effects a prison would have on tourism to the region.\(^{203}\) Tourism is a significant industry in the Shoalhaven – it employed 6000 people and contributed $617 million to the local economy in the 2009 calendar year.\(^{204}\)

Local concerns about detriment to the tourism industry centre on a sense that the presence of a prison is somehow incongruous with the image of the Shoalhaven which is sold to tourists. This sentiment was expressed by former State Labor Member Wayne Smith, former Presidents of the Shoalhaven Business Chamber Janet Binns and Frank Taylor and State Liberal Member Shelley Hancock.\(^{205}\) Local Green Councillor Amanda Findley stated:

\(^{201}\) Interview with Allen, above n 25; interview with ST, above n 1.

\(^{202}\) Interview with Pullen, above n 49.


\(^{204}\) Figures provided by Shoalhaven Tourism Manager Tom Phillips. Interview with Tom Phillips, Tourism Manager, Shoalhaven City Council (Nowra, 22 June 2010).

\(^{205}\) Murphy, ‘Job loss reignites jail debate’, above n 97; Alex Arnold, ‘Community was “misinformed” on jail plans’, South Coast Register (Nowra), 5 December 2007; Interview with Hancock, above n 57.
If people had a choice of where to go and they knew there was a big prison down there, that might actually take the gloss off going to the Shoalhaven as a tourist destination. Whether it does or not, I don’t really know. You know, is the fact that there’s a high end prison here in Nowra effect someone’s decision to go to Jervis Bay and snorkel? Look it probably doesn’t, but for some people it might. They might just not, they might go, ‘oh no, I’m going to go up the North Coast’ or ‘that doesn’t feel right any more’.

Like the decision to holiday in a particular place, this argument is itself primarily instinctual or intuitive.

In spite of these concerns, many community leaders, including Tourism Manager Tom Phillips, remain convinced that the SCCC will have no impact on tourism to the Shoalhaven. A number of reasons are cited for this position.

First, experience suggests that the presence of a prison does not have a detrimental impact on tourism. Corrective Services states that there is no evidence in social impact studies to show that the presence of a correctional centre would have any negative effects on the levels of tourism or on tourist perceptions of a town. In fact in some towns the correctional centre plays a central part in tourism, for example Berrima, Grafton, even Goulburn.

Second, the SCCC is surrounded by a ‘buffer zone’ of trees, making it invisible from surrounding roads, such that tourists might not even know it was there. Third, proponents of the prison note that Nowra itself is not a tourist destination, so in

206 Interview with Findley, above n 73.
207 Also Mayor Paul Green; former Mayor Greg Watson; Economic Development Manager Greg Pullen and Member for Kiama Matt Brown.
208 Corrective Services, South Coast Correctional Centre: Background information, Attachment A to Mediate Today, Community Consultation Report, above n 26; see also BBC Consulting Planners, Socio-economic Impact Assessment, above n 27, 41.
209 Interview with Ward, above n 38; interview with Watson, above n 98; interview with Pullen, above n 49; interview with Phillips, above n 204; interview with Green, above n 123; interview with Hanscombe, above n 79.
fact there is no tourism base to deter in the immediate vicinity of the prison.\textsuperscript{210} Finally, some community leaders suggest that any slight detriment to the tourism industry will be counterbalanced by the economic benefits the prison will entail.\textsuperscript{211}

Some even anticipate that the prison may deliver more positive tourism outcomes for the region.\textsuperscript{212} Others, meanwhile, caution that such benefits should not be overestimated:

> Will people coming in to visit their relatives in jail be a positive as far as tourism is concerned? Yes, but [it will be] marginal. A lot of them will be day visitors, a lot of them will be from lower socioeconomic backgrounds: they won’t be high spenders. They’ll come into town, they’ll visit their rels, they’ll get back in their car and they’ll go.\textsuperscript{213}

Whether the SCCC will promote or damage the Shoalhaven’s tourism industry remains to be seen. Studies which purport to demonstrate that prisons do not affect tourism focus on areas such as Kempsey, Goulburn, Grafton and Berrima, which either are not significant tourist destinations or were the sites of prisons before they became tourist attractions. There is no site in NSW comparable to the Shoalhaven – that is, an important tourist destination into which has come a large prison development – to provide guidance as to what the outcome may be in the immediate case.

\textsuperscript{210} Interview with Ben Harnwell, Economic Development Officer, Shoalhaven City Council (Nowra, 6 July 2010). See also interview with Pullen, above n 49; interview with Phillips, above n 204; interview with Ward, above n 38.

\textsuperscript{211} See comments of Greg Pullen relating to the overestimation of the economic importance of tourism in the Shoalhaven and the benefits the SCCC is expected to bring. Interview with Pullen, above n 49.

\textsuperscript{212} Interview with Watson, above n 98; interview with White, above n 135.

\textsuperscript{213} Interview with Phillips, above n 204.
G  Investment in Infrastructure

One of the appeals of the SCCC was the investment in local infrastructure which the NSW Government was expected to make as part of the project.\(^ {214}\) It was hoped that the Princes Highway at South Nowra would be upgraded and that new water, gas, electricity and sewage pipelines would be extended out to the prison site. Community leaders have been lobbying for such improvements to the Princes Highway unsuccessfully for years and the new infrastructure would make further development of Nowra’s industrial zone both easier and less expensive. However, in early discussions about infrastructure for the SCCC, former Mayor Watson warned that ‘unrealistic expectations will not be given any credence by the State Government and, in fact, could hinder Council’s bid’.\(^ {215}\)

Before construction began on the SCCC but after Shoalhaven City Council had successfully bid for the project, a dispute arose as to who would fund this new infrastructure. Watson maintained that an agreement had been reached that the Government would finance the developments and demanded that this deal be honoured.\(^ {216}\) In mid-2007, Council even threatened to withdraw its support for the project over the dispute.\(^ {217}\)

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\(^ {214}\) Mediate Today, Community Consultation Report, above n 26, 4, 24.
\(^ {215}\) Shoalhaven City Council, Mayoral Minute, 29 November 2005.
\(^ {216}\) Interview with Watson, above n 98; Alex Arnold, ‘Council “lied to” over jail access’, Illawarra Mercury (Wollongong), 16 June 2008, 12; ‘NSW Govt “cutting corners” on Nowra prison road’, ABC News, 3 December 2007.
\(^ {217}\) Arnold, ibid.
The Department of Commerce eventually declined to fund the infrastructural developments associated with the prison. Consequently, Shoalhaven City Council’s ratepayers covered the $4.8 million in costs for water, sewage and roadworks.\textsuperscript{218}

Local community members and leaders alike felt angered and betrayed by this course of events. One resident observed that ‘any other development comes with a contribution to the community’\textsuperscript{219} and former Watson stated, ‘we know our place in the world…whatever the State Government offers, then that is the crumbs we get.’\textsuperscript{220}

\textbf{H Property Prices}

The potential for a decrease in property values due to the location of a prison in the area was a concern for 18 percent of respondents to Mediate Today’s questionnaire from the Nowra-Bomaderry area.\textsuperscript{221}

To allay community anxieties, Corrective Services advised that property prices in Junee, Kempsey and Lithgow were not affected by the opening of prisons in these regions and that the Shoalhaven would probably follow this trend.\textsuperscript{222} It was even suggested that the value of properties in the area may increase due to the prison, as numbers of staff moving to the area would increase demand on and decrease the

\begin{footnotesize}

\textsuperscript{219} Adam Wright, ‘“This whole process has been cloaked in smoke and mirrors”’, \textit{South Coast Register} (Nowra), 3 December 2007, 2.

\textsuperscript{220} Arnold, ‘Jail could go private – Brown’, above n 169.

\textsuperscript{221} Mediate Today, \textit{Community Consultation Report}, above n 26, 3, 24, 58, 90.

\textsuperscript{222} Ibid, 62.
\end{footnotesize}
availability of housing. Nevertheless, it seems that for some residents who live close to the SCCC, property prices have already fallen.

During the consultation process, the rezoning of land surrounding the prison site from rural residential to industrial, which would have the effect of substantially increasing its value, was proposed as what locals called a ‘sweetener’. However, this rezoning has not yet occurred and does not appear likely any time in the near future.

One resident whose property lies adjacent to the prison has been advised by four independent valuers that his property is now worth half what it originally was. Until rezoning or some sort of other compensatory action takes place for such residents, they continue to feel angry and ‘rolled over’, as if they ‘live in limbo’.

I The Long-Term Nature of the Investment

Proponents of the SCCC see it as a positive, long-term investment which is set to become a permanent feature of the Shoalhaven economic landscape. Community leaders describe the prison as ‘something that fits within a community’, a facility that is ‘being built for 50 years’ and ‘a very very long term industry…you’re not

223 BBC Consulting Planners, Socio-economic Impact Assessment, above n 27, 27.
224 Wright, ‘Smoke and mirrors’, above n 219.
225 See comments of Greg Pullen: ‘I’m not sure quite how we’re going to handle that. That’s probably a question for the next two years…how do we say no?’ Interview with Pullen, above n 49.
226 Interview with Foyel, above n 116.
227 Interview with Hancock, above n 57.
228 Interview with Phillips, above n 204.
229 Interview with Pullen, above n 49.
going to lift a prison and move it elsewhere!" In an era of economic uncertainty, a development of this nature is indeed an attractive prospect.

J Concluding Remarks on Economic Issues

The discussion above has outlined local economic considerations relating to the inception and construction of the SCCC. They form a complex picture of costs, profits, compromises, specific historical and geographical factors and parties with divergent interests.

There were some unexpected stakeholders, such as the Shoalhaven's Aboriginal community, that benefited economically from the SCCC. Many of those who did benefit financially from the SCCC were small businesses or community groups with minimal lobbying power. Meanwhile, some business leaders, such as former Shoalhaven Business Chamber presidents Frank Taylor and Janet Binns, were hesitant or even openly critical about the supposed benefits of a new prison. For some community leaders, the benefit of the prison lay in its stability and longevity, rather than its ability to provide immediate financial returns. Some anticipated benefits – such as local sourcing of goods and services – did not eventuate or were far less significant than had been hoped. And there were some notable economic detriments associated with the SCCC, such as the infrastructural costs to ratepayers and the decline in the value of properties near prison. The economic issues relating to the SCCC are thus far more complex than the situation depicted by traditional accounts, in which the lobbying efforts of powerful corporate parties with vested economic interests form the determining factor in penal expansion today.

\footnote{Interview with Ward, above n 38.}
VI Social Issues

The SCCC entails a number of interests and disincentives of a social nature for members of the Shoalhaven community. Social issues are often omitted or ‘glossed over’ in traditional accounts of prison expansion, in favour of economic and political considerations. However, social matters were of supreme importance for many Shoalhaven locals, particularly those who did not stand to lose or gain anything economically or politically from the prison development.

Social issues relating to the SCCC ranged from anxieties about security to concerns that local imprisonment rates would dramatically increase after the prison opens. Some locals saw the SCCC as a burden to social services and infrastructure in the region; others considered it an unwanted manifestation of a socially destructive, divisive, ‘toxic industry’. There is not the space here to analyse all social considerations relevant to the SCCC at the level of detail they deserve. As

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231 See, eg, Lilly and Knepper, above n 7; Mike Davis, above n 7; Goldberg and Evans, above n 7; Braz, above n 7; Ladipo, above n 7; Angela Davis, above n 7.

232 Mediate Today, Community Consultation Report, 3, 24; Interview with Foyel, above n 116; interview with JK, above n 57; interview with Hancock; above n 57.

233 See, eg, interview with Findley, above n 73; interview with Brett Collins, Coordinator, Justice Action (Sydney, 27 May 2010); interview with Sylvia Hale, Member of the Legislative Council (Sydney, 17 May 2010). This does not appear likely to occur, at least in the short term. Nowra Local Court Magistrate Dr Gabriel Fleming has stated that the SCCC will have ‘absolutely no’ impact on the sentences she delivers: for her, sentences of imprisonment are a measure of last resort as dictated by s 5(1) of the Crimes (Sentencing Procedure) Act 1999 (NSW). Nowra’s Circle Sentencing Elders similarly stated that the SCCC ‘doesn’t make a bit of difference’ to their task, which is not simply to incarcerate offenders but, where possible, to find ‘alternative cures for what ails ’em’. Interview with Dr Gabriel Fleming, Magistrate, Nowra Court House (Nowra, 30 June 2010); interview with BH, GW, KC and TU, above n 149.

234 Mediate Today, Community Consultation Report, above n 26, 3, 6, 24, 63, 72, 75, 84; BBC Consulting Planners, Socio-economic Impact Assessment, above n 27, 22, 46, 48-9, 53-4; interview with Green, above n 123; interview with Ward, above n 38; interview with Hancock, above n 57.

235 Interview with Hanscombe, above n 79. See also interview with Collins, above n 233; interview with Findley, above n 73.
such, this section of the dissertation considers only the two social issues of most concern to the Shoalhaven community. The following discussion is not intended to be a comprehensive examination of the social issues relating to the SCCC; rather it is aimed at highlighting the importance of these issues to the debate surrounding the inception of new prisons.

The first part of this discussion examines what was considered to be the most important social benefit associated with the SCCC: the ability to keep local prisoners close to their community. The second part considers the most significant social detriment expected to accompany the SCCC: the potential for a negative change in the local demographic.

**A Regional Corrections and the Rehabilitation of Local Prisoners**

1 *The Purpose of a Regional Correctional Centre on the South Coast*

Mediate Today noted with some interest that a relatively high proportion of respondents to its surveys – 13 percent – considered better prospects for the rehabilitation of local prisoners to be a significant benefit of a SCCC.236

The SCCC is the State’s third new regional prison, after the MNCCC and Wellington Correctional Centre. The rationale behind regional prisons is to keep prisoners close to their homes and support networks of family and friends. This is believed to reduce instances of suicide and self-harm among prisoners.237

Furthermore, Corrective Services claims ‘[s]tudies have shown that maintaining family ties provides offenders with the best chance of re-assimilating into the

237 Premier, ‘$155 Million South Coast Correctional Centre Completed’, above n 132.
community on release and reducing their chance of re-offending."^{238} Families of prisoners also benefit from having their relatives incarcerated in their local area.

Corrective Services has declared that the South Coast is an area which ‘there is a need’ for a regional prison:

> With the exception of the Illawarra/South Coast region, other parts of the State have been identified as being adequately catered for in terms of sufficient correctional places to give reasonable access to families and communities.\textsuperscript{239}

This assertion is based on the 2009 NSW Inmate Census, in which the last known address of 528 prisoners is listed as somewhere in either the Illawarra or South Coast region.\textsuperscript{240}

The SCCC is designed to accommodate as many prisoners from the local area as possible. It is for this reason that the prison is a unisex and multi-classification facility. Corrective Services has stated that it intends to transfer medium and maximum security prisoners who are currently being accommodated in the State’s other prisons back to the Shoalhaven.\textsuperscript{241} Furthermore, the remand cells at Wollongong and

\textsuperscript{238} BBC Consulting Planners, \textit{Environmental Assessment}, above n 32, 12.


\textsuperscript{241} Mediate Today, \textit{Community Consultation Report}, above n 26, 71.
Batemans Bay are to be closed and local prisoners on remand are to be held instead at the SCCC.\footnote{BBC Consulting Planners, \textit{Socio-economic Impact Assessment}, above n 27, 46.}

2 \textit{Benefits for Local Prisoners}

Prisoners from the South Coast region may experience social, psychological and legal advantages upon the opening of the SCCC. Anecdotal evidence suggests that a number of local prisoners are eagerly awaiting the opening of the SCCC and the opportunity to serve their time close to home.\footnote{Interview with Pudney, above n 148.} This will, for one thing, facilitate visitation. Gary Pudney of the Aboriginal Legal Service (ALS) described his experiences visiting local clients in prison as follows:

I often will go to see a client who’s in jail who may have been given six, 12, 18 months and I was the only visitor they’d have….If you go and visit somebody in jail, and if they haven’t had any other visitors…you become like long lost cousins. They appreciate the interaction, you can talk about their legal matters, you can talk about the community matters, who’s doing what and how the football sides are going, so visits are really important for anybody inside.\footnote{Ibid.}

Local prisoners incarcerated in the SCCC will be able to maintain contact with their community in other ways, too. Access to local news media will allow prisoners stay involved in local sports, Council business and other community developments. The prison will also be staffed with local people who prisoners may know or more easily be able to associate with. Pudney believes that staying engaged with one’s local community is a significant factor in coping psychologically during and after a prison sentence.\footnote{Ibid.}
Furthermore, staying in or close to the local region will make it easier for prisoners to handle their legal affairs. Currently, it is difficult for prisoners from the South Coast to keep in contact with their legal representatives. Pudney advises that it is often only possible for lawyers from the ALS to travel to Goulburn Correctional Centre ‘once every couple of weeks’ and that it is ‘nearly impossible’ to have personal contact with clients incarcerated at Lithgow, Bathurst or Sydney.246 Pudney stresses the importance of face-to-face contact between lawyer and client and notes that when the SCCC opens, this will become far easier for the ALS and other local legal services to affect.

A local prison will also mean that prisoners can appear before court in person more easily. Currently, prisoners have the option of appearing via audio-visual linkup (AVL) or being transported considerable distances to appear in person. Both have their disadvantages. AVL can have a detrimental impact on an accused person’s ability to represent themselves, communicate with their lawyer and ensure a positive outcome in court matters.247 On the other hand, some prisoners are averse to being ‘carted around the State’ to appear in person:

If someone’s got to appear in court at Nowra and they’re in Goulburn, they go from Goulburn to Bateman’s Bay on the Sunday, they’re kept there overnight in a cell without any windows at the police station, maybe come up here Monday, Tuesday; if it’s a trial they go back to Bateman’s Bay each night: they go a week without seeing any fresh air or windows.248

The SCCC will allow local prisoners to appear personally in court with minimal fuss.

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246 Ibid.


248 Interview with Pudney, above n 148.
3. **Benefits for Prisoners’ Families: ‘Best to be Close’**

Similarly, families of prisoners stand to experience benefits if their relatives are incarcerated locally rather in other prisons across the State. Councillor Amanda Findley spoke of the stories she was told door-knocking, particularly in lower socioeconomic areas of Nowra, in these terms:

> People were traveling these extraordinary distances to go and see loved ones, it was costing them a fortune on a very limited income already and that was stopping them from doing it on a more frequent basis…can you imagine someone who’s got a very low income, say $300 a week, and probably half of that’s going on rent, either having to travel back up to Sydney, get on a train and going to Goulburn, or trying to get a bus up to Batemans Bay to get up to Canberra, back over to Goulburn and then having to put up [for] a night’s accommodation…that’s a really big expense.249

Local anecdotes illustrate this issue. Another local stated:

> I actually know one woman who has an 80 year old father who wants to visit his grandson or son [in prison] every month. And she said it’s such a trek because he’s frail and he needs help so she has to do the long trek with him [even though] she’s got family of her own.250

An Aboriginal community leader described her experiences collecting her nephew on his release from Silverwater Correctional Centre. She took a day off work and drove from the Shoalhaven to Sydney but was turned away when she arrived at the prison because she did not bring any photo identification. The next day, she missed work again and drove to Sydney with the ID required, but was once again turned away because she did not have a copy of her residential bond certificate. She then took a third day off work, returned to Silverwater with this document and was finally able to take her nephew home.251 Many community members have experienced this

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249 Interview with Findley, above n 73.
250 Interview with ST, above n 1.
251 Interview with TU, above n 149.
kind of hardship due to the sheer distance between the Shoalhaven and the prisons that service it.

While it might be more beneficial for locals not to have family members incarcerated at all, prison is simply a reality for some in the Shoalhaven community. One local Aboriginal Elder stated, with regard to these people, ‘it’s best to be close to them than miles away from them’. 252

4 Skepticism about Regional Corrections

Given the benefits to prisoners and their families of local incarceration, there is some pressure within the Shoalhaven community to support the prison on social justice and equity grounds. Those who oppose the construction of the prison have been criticised as being insensitive to the needs of local disadvantaged people.

Nevertheless, there is some skepticism about the supposed benefits of a regional prison on the South Coast. First, critics wonder about the sincerity of the Department of Justice and Attorney-General’s apparent concern for local prisoners and their families. Member of the Legislative Council, Sylvia Hale, said:

If that were a significant reason you’d have to ask why the Department of Juvenile Justice has recently closed [Keelong Juvenile Justice Centre in Unanderra, the Illawarra’s only such Centre]…I think the Government’s bona fides in that respect are somewhat suspect. 253

Secondly, some people question whether the prison will only or primarily accommodate local offenders. The answer to this query seems to depend on how ‘local’ is defined. While the last inmate census identified 528 prisoners from the South Coast or Illawarra regions, only 102 of these are from Nowra or Bomaderry.

252 Interview with GW, above n 149.
253 Interview with Hale, above n 233.
The majority, 306, are from Wollongong while a further 120 come from the broader Illawarra or lower South Coast areas.\textsuperscript{254} It is a source of concern for some that although it might be Corrective Services’ intention at present to keep locals in the SCCC, its decision-makers are thought to ‘change their policies like they change their undies’ and prisoners are frequently and sometimes seemingly arbitrarily transferred around the State.\textsuperscript{255}

B ‘Moral Pollution’: The Potential for a Change in Demographic

The most significant social detriment anticipated by locals was a change in the demographic of the Shoalhaven, an increase in crime and a ‘further deterioration of the social fabric of the community’.\textsuperscript{256} Sixty percent of people from the Nowra-Bomaderry area expressed such a concern.\textsuperscript{257}

1 Local Concerns about Moral Pollution

Locals believed that the SCCC would cause their region to be encroached upon by undesirable people in two distinct ways. First, there was concern that prisoners from elsewhere, especially those without strong familial, social or economic ties to any other place, would stay in the Shoalhaven upon release. Second, it was believed that the families of prisoners would frequently visit or even relocate to the Shoalhaven in order to be close to their incarcerated relatives, particularly those serving longer sentences.

\textsuperscript{254} Corrective Services NSW, *NSW Inmate Census* (2009), above n 240, 34.

\textsuperscript{255} Interview with TU, above n 149. See also BBC Consulting Planners, *Socio-economic Impact Assessment*, above n 27, 37, which acknowledges the possibility of transferral between correctional centres for various reasons.

\textsuperscript{256} Mediate Today, *Community Consultation Report*, above n 26, 32.

\textsuperscript{257} Ibid, 3, 24.
The reaction to the prospect of an increased presence of prisoners’ families and ex-prisoners ranged in the Shoalhaven from mild anxiety to repulsion. At the moderate end of this spectrum, Deputy Mayor Gareth Ward, stated:

What concerns me is the social impact. When people come out of prison, where do they go?…Often you’ll [also] have families move to an area to be closer to relatives that may be inside the prison, and this is not just an all-male prison, this is a male and female prison you’ll have a wide diversity of people coming to the Shoalhaven, either to visit or to move permanently to be closer to friends and relatives. So I think that those social issues of social construction need to be managed and considered by the Government.258

Similarly, Mayor Paul Green noted, ‘if there’s sex offenders in there and they’re due for their time out, I must admit I have a sort of hesitancy to wondering where they’re going, where they end up’.259 Others were less reserved. One local woman announced, ‘at the risk of sounding like a two-bob snob, we have enough dropkicks of our own without importing anybody else’s’.260

The consequences of encroachment on the Shoalhaven by prisoners and their families were supposed to be manifold. Locals believed that ex-prisoners and families of inmates would create an increase in local crime rates as well as more ‘anti-social behaviour’ in the region. For instance, one resident declared:

As people who live in Nowra know, the cops are a bit slack as it is. Add another couple of hundred ex-crim over the next 50 years, and I hope I’m not still around to see what this place will look like then.261

This was expected to lead to a change in the reputation of the Shoalhaven and a decline in the quality of life there. There was also an economic element to the

258 Interview with Ward, above n 38.
259 Interview with Green, above n 123.
260 Interview with JK, above n 57.
debate: an influx of lower-socioeconomic people and families would create a decline in the mean and median incomes in the region and this would change the nature of the goods, services and events which the City had to offer. Some went to far as to presume ‘the whole nature of the town [would] change’.

2. Response to Concerns about Moral Pollution

Officials from Corrective Services and community leaders in favour of the SCCC gave several responses to community concerns about ‘moral pollution’. They noted the minimal migration of prisoners and families to Kempsey and Lithgow following the opening of correctional centres in those communities and suggested that this trend would be followed in the Shoalhaven. They stated that a majority of prisoners in the SCCC would come from the local area, so there would be minimal relocation to the region, even from prisoners themselves. They also pointed to disincentives for prisoners and families from elsewhere to relocate, such as potential difficulties in securing affordable housing. In any case, authorities advised locals not to be too quick to judge the character of prisoners’ relatives, stating, for example, ‘I think we’re being a bit vindictive sometimes in assuming that everyone is bad who’s going to visit the prison’.

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262 Interview with Frank Taylor, Director, Financial Dynamics and former President, Shoalhaven Business Chamber (Nowra, 6 July 2010).
263 Ibid.
265 See comments of ST: ‘a lot of [local people] are [saying], “not in my backyard”. But the funny thing is that these people actually come from their backyard.’ Interview with ST, above n 1.
266 BBC Consulting Planners, Socio-economic Impact Assessment, above n 27, 27-8; interview with White, above n 135; interview with ST, ibid.
267 Interview with Gash, above n 83.
Moreover, it was asserted that the COSP centre would assist former prisoners to find employment and accommodation so that they would not be released without support or supervision into the community until their situation had been stabilised.

Locals were also specifically assured that crime rates in the Shoalhaven would not rise as a result of the SCCC. Studies show a steady or declining rate of crime in the Lithgow and Kempsey communities in the years following the opening of prisons there\(^{268}\) and some locals speculated that the prison may have a deterrent effect on potential offenders.\(^{269}\) Finally, spokespeople for Corrective Services and community leaders stated that it would be unlikely that the prison would have a negative impact on the reputation of the Shoalhaven or the quality of life therein.\(^{270}\) On the contrary, it was predicted that an increase in job opportunities and investment in the region would probably have a positive impact on life in the Shoalhaven.

Despite these arguments, many locals remain unconvinced that the SCCC will not result in significant social detriment to their community.

**D Concluding Remarks on Social Issues**

The social consequences of the SCCC were an issue of both anticipation and concern for the Shoalhaven community. Local prisoners and their families eagerly awaited the opening of the prison which they believed would ease various hardships and contribute to their wellbeing. However, other community members dreaded the operation of the prison, which they assumed would result in a moral contamination of their region. Issues such as these were of paramount importance in the debate

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\(^{269}\) Interview with ST, above n 1. See also interview with Watson, above n 98.

surrounding the SCCC for locals, particularly some Aboriginal community members and those of lower socioeconomic standing who did not have political or economic stakes in the prison.

The voices of such people are often omitted from accounts of the reasons for penal expansion. As the discussion above has demonstrated, they enrich the discourse and add to it a significant dimension. Although it can be easy to get ‘stuck on the dollars’ in the debate surrounding new correctional centres, the importance of these social issues should not be overlooked.

**VII Political Issues**

A number of public figures and organisations have political stakes in the construction of the SCCC. These vary greatly in their nature, content and scope. There is disagreement, even within political parties, in relation to the SCCC; much has appeared to rest on personal convictions and in many cases, a politician’s position on the issue has resulted in political detriment rather than advantage. The nature of some parties’ interests in the SCCC is outlined below.

**A The NSW Labor Government: A Big, Sexy Sale**

Some have commented that the party which has the most to gain from the construction of the SCCC is the NSW Government. The prison can be characterised as an appealing, highly visible project which, after the initial investment, requires no ongoing governmental input. On the political appeal of new prisons, Member of the Legislative Council Sylvia Hale has commented that:

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271 As did Dave White stated that he did in interview with White, above n 135.
272 Interview with Hale, above n 233; interview with Findley, above n 73.
It's easier to say to a local community, 'look: we're doing this one big project that's going to create 200 jobs'...[than] to say, 'we're putting this much more into drug and alcohol [programs], we're putting this much more into supported accommodation or, you know, counselling services' – that's not so big and sexy a sale as a prison.\textsuperscript{273}

The SCCC is just one of many Labor initiatives designed to build support on the South Coast in the lead up to 2011's State election.\textsuperscript{274} However, whether the SCCC has achieved the aim of increasing NSW Labor's popularity on the South Coast is questionable. Labor's approval rating continues to decline across the State\textsuperscript{275} and there seems to be a consensus amongst locals in the Shoalhaven that a Liberal Government would be preferable for NSW in the next term. The SCCC even appears to have decreased public opinion of Labor for some in the Shoalhaven, who call those responsible for the development "wise arse" politicians' and 'our *cough* illustrious leaders'.\textsuperscript{276}

B Matt Brown

Matt Brown is the Labor Member of the Legislative Assembly for the seat of Kiama. He was elected to NSW Parliament in 1999 and to Cabinet in 2007.

\textsuperscript{273} Interview with Hale, above n 2333.


\textsuperscript{276} Shell Johnson, above n 261.
Since the initial proposal in 2002, Brown has led the parliamentary push for a correctional centre on the South Coast. His support appears to stem his particular interest in and firm approach towards ‘law and order’ debates.\(^{277}\) His desire to increase local employment opportunities and a belief in the economic stimulus which the project would bring to the South Coast also appear to drive Brown’s support for a new prison in the area.\(^{278}\)

While Brown was one of the most vocal advocates of a prison on the South Coast, he did not propose to site it in his own electorate, claiming instead that there was no suitable land in Kiama.\(^{279}\) Nevertheless, he conducts tours of the SCCC for his constituents, comments regularly in the media about it and participated in its official opening.\(^{280}\) This has led many to believe that Brown’s approach was a deliberate and shrewd attempt to reap the political rewards which accompany a large job-creating development in the broader region whilst managing to avoid the political backlash which might occur in the immediate vicinity of prison.\(^{281}\)

C Greg Watson

Greg Watson was elected to Shoalhaven City Council in 1974 and became the first Mayor of the City to be elected by popular vote in 1980. Watson spent 17 years in the office of Mayor and was voted out of this office in 2008, though he remains on Council.

\(^{277}\) Public Accounts Committee, above n 170.

\(^{278}\) Interview with Matt Brown, above n 103.

\(^{279}\) Ibid.

\(^{280}\) See Alex Arnold, ‘180 do hard labour at Nowra jail’, Illawarra Mercury (Wollongong), 4 July 2009, 24; Phil Costa, ‘Keys officially handed over at new South Coast Correctional Centre’ (Press Release, 20 November 2010); interview with Hancock, above n 57; interview with Gash, above n 83.

\(^{281}\) Interview with Ward, above n 38; interview with Hanscombe, above n 79.
Watson’s passionate and decisive support of the SCCC was driven by a self-declared ‘relentless push’ to increase employment opportunities in the Shoalhaven.\(^{282}\)

According to the current Mayor Paul Green, ‘Councillor Watson was always unapologetic for creating jobs, nearly at any cost’.\(^{283}\) Watson has also stated that ‘the building of a strong economic base’ was one of his ‘main priorities as Mayor of the City’\(^{284}\) – indeed he is known locally as the businessperson’s champion\(^{285}\) – so the prospect of the economic boost to the area which a prison could bring appealed to him as well.

Watson’s mayoralty was shrouded in controversy. Accusations of corruption and caucusing have been made against him, leading to investigations by the Independent


\(^{283}\) Interview with Green, above n 123.

\(^{284}\) Shoalhaven City Council, Mayoral Minute, 19 December 2006.

\(^{285}\) Interview with Foyel, above n 116.
Commission Against Corruption. He has also been criticised for public racist displays, including openly burning the Aboriginal flag in 1982.

While Watson’s promotion of the SCCC won him some supporters, many in the Shoalhaven saw it as another example of dishonourable indifference to local concerns. One local stated in regard to the prison that:

Council, as usual, have their hip pockets in mind, and not the needs of the community. I hope as many people as possible join the fight against the corrupt council that we have put up with for far too long.

Insofar as this sentiment is representative of community attitudes, Watson’s handling of the SCCC project may have contributed to his being voted out of office as Mayor in 2008.


288 Nick Grimm, ‘Fit to print’, above n 286.

289 Comments of Claire Lawson in Johnson, above n 261.
Amanda Findley is a Greens councillor for Shoalhaven and a vocal opponent of the prison, which she believes is part of a socially destructive tradition.

Findley pursued careers in banking, retail management and real estate before she moved to the Shoalhaven in search of a more rewarding lifestyle.\textsuperscript{290} She was involved in Greens politics in a ‘low-grade’ way,\textsuperscript{291} but was not a member of the Party, until the proposal for a prison on the South Coast was made. She advises that this issue was ‘one of the catalysts’ which prompted her ‘whole social change’, one part of which was officially joining the Greens.\textsuperscript{292} Findley stood as the South Coast candidate for the Greens in the 2007 State election on an anti-SCCC platform and won nine percent of the primary vote. She was elected to Shoalhaven City Council in 2008.

It is interesting to note that Findley attributes her political career, in large part, to the very development she fiercely opposed.

Shelley Hancock is the Liberal Member for the seat of the South Coast and was elected to the NSW Legislative Assembly in 2003.

While Hancock is quick to point out that she does not oppose a prison in the South Coast per se, she has been critical of a number of aspects of the development. She has commented publically on the potential for an overburdening of infrastructure and social services in the area; inadequate community consultation about the prison

\begin{footnotesize}
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\item<ao> Interview with Findley, above n 73.
\item<ao> Ibid.
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and possible economic detriments, including a decline in tourism to the Shoalhaven, amongst other issues. Hancock states that there are ‘some individuals who will always be concerned [about the prison] and I guess one of them is me’.293

While the prison was being constructed, Hancock held a community meeting to discuss the issue; mailed a brochure to local residents outlining her position and requesting feedback; attended meetings of the Stop Shoalhaven Jail Now protest group and offered it her assistance; encouraged residents to make submissions on the prison to the Departments of Planning and Commerce; tabled five petitions opposing the prison in Parliament and publically criticised the Council and State Government on their handling of the issue.

Nevertheless, Hancock acknowledges some positive aspects of the project, including the high levels of Aboriginal employment in construction; the technologically advanced nature of the institution itself and the programs and services which will be available to prisoners therein. With regard to these features, she acknowledges that ‘there are things that are really impressive about Corrective Services these days’.294

Hancock’s position is possibly the most balanced of those outlined in this project. Her political adversaries claim that she ‘stood for nothing on this issue’,295 ‘had a bob each way’,296 ‘was just trying to scare the community’,297 didn’t raise community concerns sufficiently in Parliament298 and ‘was just playing party politics’.299 It is not

293 Interview with Hancock, above n 57.
294 Ibid.
295 Interview with Matt Brown, above n 103.
296 Ibid.
297 “‘No fears” at jail’, Illawarra Mercury (Wollongong), 25 September 2009, 7.
298 Interview with Foyel, above n 116.
clear whether there is any truth in those accusations as Hancock’s concerns appear sincere and considered. In any case, Hancock’s position, which reflects various shades of grey, is a refreshing addition to a debate which is far from clear cut, but in which one is expected to think in terms of black and white.

F Gareth Ward

Gareth Ward is the Deputy Mayor of Shoalhaven City and Liberal contestant for the seat of Kiama – currently held by Matt Brown – in the forthcoming State election. Ward is in favour of the SCCC, believing that ‘the prison will be on balance a good thing for the Shoalhaven’. He approves, in particular, of the economic and employment benefits which the SCCC is expected to provide. Nevertheless, he harbours some concerns about the prison project – specifically regarding the consultation process:

I think that the way the consultation was handled in relation to the prison was very poor… It was presented as a fait accompli and not with any sense of community input… I was in support of the project but I wanted the community to have their say as well.

While this concern seems genuine, it is also in Ward’s interest that his political opponents should appear as foolhardy, incompetent and unethical as possible, to secure for himself a higher proportion of the Kiama vote and deliver his Party to Government. For both these reasons, it appears, Ward consistently highlighted the failings of Brown and the NSW Labor Government during the inception of the

299 Interview with Watson, above n 98.
300 Interview with Ward, above n 38.
301 Ibid.
prison and throughout the construction process. In this way, he was able to criticise his political adversaries without criticising the SCCC itself.

G Joanna Gash

Joanna Gash has held the Federal electorate of Gilmore for the Liberal Party in the House of Representatives since 1996. The seat of Gilmore stretches from Warilla in the North to Durras in the south and encompasses the towns and suburbs of Berry, Bomaderry, Gerringong, Kangaroo Valley, Kiama, Milton, Minnamurra, Nowra, Shellharbour, Shell Cove, Sussex Inlet and Ulladulla.

Gash was raised in the Southern Highlands, where she lived close to the Berrima Correctional Centre. She views the prison at Berrima as a positive aspect of her upbringing, declaring ‘they’ve done nothing but good for the community, with community projects and things and also for the commercial sector of course’.

Perhaps partly for this reason, Gash has been a vocal advocate for a correctional centre on the South Coast since 2002. She felt it was crucial not to pass up such an opportunity, noting that ‘if you’ve got some credibility in the area [it] is important’ to make one’s support of such a project known publically.

Gash states that in her time as Member of Gilmore, what she ‘concentrated most on [was] to try and get infrastructure here’, listing her successes as the opening of the University of Wollongong’s Shoalhaven campus, the building of a number of private


304 Interview with Gash, above n 83.

305 Ibid.
schools in the region, securing the future of the HMAS Cresswell base and the
upgrade of the MR92 which will link Nowra with Canberra more readily by road.306
Gash sees the construction of the South Coast Correctional Centre as a further part
of the economic development and infrastructural enrichment towards which she
feels she is working for Gilmore.307

H Concluding Remarks on Political Issues

Political stakes in the construction of the SCCC are thus many and varied.

Traditional accounts of prison expansion tend to focus on the political benefits
involved in simultaneously creating jobs and appearing ‘tough on crime’.308 While this
view is represented in the case of the SCCC, primarily by Watson and Brown, there
were a host of other more nuanced interests at play. The political figures who
promoted the prison did so not simply for the purpose of increasing their social
popularity and ‘winning votes’. Some showed their support for reasons of reputation
and a desire to leave a positive legacy, as in the case of Gash. Others, like Ward,
used their approach to the prison as a point of comparison between themselves and
their political adversaries. Some leaders, such as Hancock, contributed to the debate
but did not have a clear-cut stance on the SCCC. Still others, like Findley,
vehemently opposed the prison but nonetheless had a political stake in its
construction. Notably, not all politicians benefitted by the position they took –
Watson, Brown and Hancock have all been censured for their comments and
actions.

306 Ibid.
307 Ibid.
308 See, eg, Lilly and Knepper, above n 7; Mike Davis, above n 7; Goldberg and Evans, above
n 7; Schlosser, above n 6; Angela Davis and Shaylor, above n 7; Braz, above n 7; Christie,
Crime Control as Industry, above n 7; Ladipo, above n 7; Angela Davis, above n 7; Sudbury,
above n 7; Falk, above n 7.
VIII Environmental Issues

Environmental matters form a further important aspect of the debate surrounding the SCCC. The ecological impact of the prison was a specific consideration for 36 percent of people from the Nowra-Bomaderry area.\(^{309}\)

Some commentators argue that the ecological benefits of prison developments are one reason for their popularity in regional areas\(^{310}\) and this is certainly the case in parts of the Shoalhaven. Proponents of the SCCC emphasise that corrections is, environmentally speaking, a sustainable industry. They also note the potential for the prison to actively contribute to the protection of its surrounds. However, many critics are cynical about these benefits and quick to point out the environmental damage which necessarily accompanies any large development. This section of the dissertation will examine, first, the particular significance of the Shoalhaven’s natural environment; second, the sustainability features and ecological benefits of the SCCC and third, the environmental detriment the prison entails and protest efforts made on this basis.

A The Importance of the Shoalhaven Environment

The Shoalhaven is celebrated by locals as a clean, green and beautiful place. Its various pristine natural environments, clean waters and rich soils contribute both to the quality of life in the area and to the local economy. For those employed in the tourism, fishing, agricultural and wine industries, environmental protection in the region is a matter of subsistence. For other locals, the environment of the Shoalhaven represents a cherished lifestyle. A range of demographic groups,

\(^{309}\) Mediate Today, Community Consultation Report, above n 26, 3, 24.

\(^{310}\) See, eg, Schlosser, above n 6, 58.
therefore, consider it important that any new industry in the Shoalhaven be environmentally safe and sustainable.

B An ‘Environmentally Friendly Prison’

The prospect of a prison was attractive to many in the Shoalhaven due to its compatibility with modern notions of sustainability. For instance, Shoalhaven City Council’s Tourism Manager Tom Phillips stated:

Would we want a high temperature incinerator here? No. Would we want a tannery here? No, because they’re smelly, nasty industries…Obviously they pollute the atmosphere. And people are much more conscious of that, especially in an environment like the Shoalhaven that is clean and green, than they are [of] something like a jail.  

Effort has been made to ensure that the SCCC is a sustainable institution. All the timber which was cleared from the site of the prison has been recycled. The buildings in the SCCC are north-facing and solar-passive. Extensive use is made of natural lighting, often in the form of skylights. Performance solar glass and high thermal mass bricks and concrete have been used to insulate the prison and minimise the need for air conditioning. Minimum security cells are not heated or cooled but have windows that can be opened.

The SCCC also incorporates a waste management and recycling scheme. It is the largest prison in NSW to date to use a worm farm for the recycling of green waste.

311 Characterisation of NSW’s new prisons by Brett Collins. Interview with Collins, above n 233.

312 Interview with Phillips, above n 204. See also interview Pullen, above n 49; interview with Watson, above n 98.

313 See BBC Consulting Planners, Environmental Assessment, above n 32, 10, 70-2; Apap, ‘Work Starts on Nowra Prison Site’, above n 122.

Moreover, stormwater is collected in two one-gigalitre in-ground tanks capable of storing two billion litres. That water will be used for toilet-flushing in the minimum security areas of the prison as well as for grounds maintenance. Any surplus will be treated before being returned to nearby creeks.\(^\text{316}\)

The SCCC will play an active role in conserving its surrounding environment. Approximately 30 hectares of the 120-hectare site has been cleared for the construction of the prison, but the remainder is subject to a vegetation management plan and will be maintained by prisoners ‘in perpetuity…effectively as a reserve’.\(^\text{317}\) Prisoners will also assist in conserving bushland in the Shoalhaven which Council does not have the resources to maintain.\(^\text{318}\)

All these initiatives make the prison an appealing addition to the Shoalhaven for many residents interested in protecting their natural environment.

\section*{C Ecological Detriments and Protest Efforts}

Nevertheless, some members of the Shoalhaven community protested against the SCCC on environmental grounds.

Shoalhaven City councillors noted at a stakeholder meeting that they would be surprised if something of environmental significance was not found on every site proposed for the construction of the prison.\(^\text{319}\) The site which was eventually chosen is indeed one of significance. It encompasses a riparian corridor, ‘a transition zone

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\footnotesize\text{\textsuperscript{315} Interview with White, above n 135.}

\footnotesize\text{\textsuperscript{316} Ibid.}

\footnotesize\text{\textsuperscript{317} Ibid and BBC Consulting Planners, \textit{Environmental Assessment}, above n 32, 79.}

\footnotesize\text{\textsuperscript{318} BBC Consulting Planners, ibid, 64.}

\footnotesize\text{\textsuperscript{319} Mediate Today, \textit{Community Consultation Report}, above n 26, 62.}
\end{flushright}
between terrestrial and aquatic environments [which] perform[s] a range of important environmental functions’ such as minimising channel erosion; protecting water quality by trapping contaminants and ‘providing a diversity of habitat[s].’

While attempts have been made to protect this corridor, some riparian vegetation and some species’ habitats have necessarily been disturbed. Interference with the riparian corridor has been an issue of concern for local stakeholders.

The area surrounding the SCCC site is also home to a number of endangered plants and animals. No threatened species have been recorded on the site itself, but nine threatened flora species and 27 threatened fauna species, including 16 birds, nine mammals and two frogs, have been recorded as living within 10 kilometres of the site. Two of those bird species have been observed on the outskirts of the site and koalas have been recorded as living three kilometres to the site’s southwest. Some view the SCCC as a threat to these species.

Furthermore, Aboriginal Elders in the Shoalhaven have expressed concerns about the environmental work which prisoners will conduct in the broader region. While additional conservation work does seem beneficial to these Elders, they worry prisoners will not be properly trained in conservation and fire prevention.

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323 BBC Consulting Planners, Environmental Assessment, above n 32, 17.

324 Ibid.

techniques. They are also concerned that prisoners will not recognise sites of cultural or religious significance and may disturb or desecrate these.\textsuperscript{326}

Possibly the largest public protest effort against the SCCC revolved around the environmental concerns of local residents. Community members from the Nowra Hill area comprise a large number of migrants from cities, who are educated, often affluent, ‘very well organised and vocal’.\textsuperscript{327} Many view the area as a pristine rural retreat from their former urban lives and spent considerable amounts of money developing their properties.\textsuperscript{328} Nowra Hill residents were fiercely opposed to the construction of the SCCC at either of the two nearby Yalwal Road sites.

These residents made their concerns known during the consultation process by commissioning a town planner to create a standard-form letter which 29 people sent to Mediate Today. Moreover, 70 Nowra Hill residents gathered at the Bamarang Reservoir to protest the prison being built in their area on 1 October 2006. Organiser Clive Brooks summarised the protesters’ concerns as follows:

\begin{quote}
Most people down here have parts in their DA which prevent them from taking down trees, or putting fences up, so we moved down here really for a lifestyle that small acreages in this environment would give us... Jails in the backyard and ripping down acres and acres of trees and just destroying the countryside – that’s not what we wanted.\textsuperscript{329}
\end{quote}

This same community group attended the information centre en masse on 14 October 2006 to voice their objections.

\textsuperscript{326} Interview with BH, above n 149.
\textsuperscript{327} Mediate Today, \textit{Community Consultation Report}, above n 26, 22.
\textsuperscript{329} ‘Residents Air Shoalhaven Jail Plan Worries’, ibid.
D Concluding Remarks on Environmental Issues

The Shoalhaven is an area of particular ecological significance and the environmental impact of the SCCC is of concern to many different social groups. This concern was instrumental in shaping the opinions of many locals towards the prison. Community members in support of the SCCC highlighted the economic benefits it entails. But it is far from unanimous that the prison will prove environmentally advantageous and the biggest protest effort in relation to it was staged by its critics on ecological grounds.

IX Conclusion

Construction of the SCCC is now complete and there is a notable interest in the new facility within the wider community. Two open days are being held at the prison over the weekends of 20-21 and 27-28 November and 10 000 tickets have been booked to visit on these days.\(^{330}\) Local attitudes towards the prison range from excitement amongst those who supported its construction\(^{331}\) to defeatism amongst its critics.\(^{332}\) However, it seems that a majority of people in the Shoalhaven remain undecided, calling the SCCC ‘a very big unknown’\(^{333}\) and resolving to just ‘wait and see’.\(^{334}\) The next chapter in the history of the SCCC will begin on the weekend of 4 December when it becomes operational. Its first inmates will arrive on 6 December 2010.

\(^{330}\) Costa, above n 280.
\(^{331}\) See interview with ST, above n 1; interview with Matt Brown, above n 103.
\(^{332}\) See interview with Hancock, above n 57; interview with Wright, above n 78.
\(^{333}\) Interview with JK, above n 57.
\(^{334}\) Interview with Hanscombe, above n 79; interview with Wright, above n 78.
This thesis has demonstrated the complex and nature of the SCCC development, as influenced by a number of factors. Economic considerations, including the multiplier effect expected to accompany the SCCC, played a dominant role in its inception. So did political issues and the idiosyncrasies of particular community leaders, such as the interests of Matt Brown, former Mayor Watson’s ‘relentless push’ for jobs (particularly after the losses of 2002) and General Manager Dave White’s capability to allay the fears of sceptical community members. However, there were a range of other contributing elements. The prison’s final location was encouraged by geographic factors – the South Coast is removed from the State’s existing correctional centres and there was a perceived need for a new prison in the region. Many community members from lower socioeconomic backgrounds expressed a desire to keep incarcerated relatives close to home. A relatively politically unengaged Shoalhaven community prevented a cohesive, effective protest effort similar to the successful one at Wingecaribee. Environmental issues were also important: the ecological sensitivity of the Shoalhaven shaped many locals’ attitudes towards the prison. Finally, the role of mere chance and simple opportunism has been demonstrated throughout this project.

The examinations conducted above indicate the complex issues involved in the construction of a contemporary prison. The intricate picture painted by this dissertation has demonstrated that penal expansionism is the result of many more factors than merely the level of crime in a community. But it also provides some evidence to support Wacquant’s argument against a ‘conspiratorial view of history’ which reduces the detailed nuances of penal expansion to an overly simplistic, prescriptive theory such as that of the prison-industrial complex. A web of
intersecting and overlapping interests and concerns have shaped the final form and location of the SCCC.

This thesis has examined just one of NSW’s 36 correctional centres, each of which has its own unique story. With the State’s penal system expected to continue to expand in coming years, a study of the reasons underlying prison construction becomes increasingly important. Further study of other prisons in the vein of this project would illustrate some common threads, such as economic and political interests which contribute to many new prison developments. But it would also clearly demonstrate the complexity of the phenomenon of penal expansion today.
APPENDIX A: 
MAP OF SHOALHAVEN CITY

Map showing the boundaries of Shoalhaven City.

APPENDIX B:
MAP OF NOWRA IN RELATION TO BOMADERRY STATION

Map showing Bomaderry Railway Station, marked with an A, in relation to Nowra’s CBD.

Source: Google Maps (2010).
APPENDIX C:

MAP OF POTENTIAL CONSTRUCTION SITES

Map showing the location of the four shortlisted sites for construction of the SCCC.

GLOSSARY

ALS: Aboriginal Legal Service.

AVL: Audio-visual linkup.

CBD: Central business district.

Corrective Services: Corrective Services NSW. Although it was formerly known as the Department of Corrective Services, the term Corrective Services has been used throughout this thesis for consistency.

COSP centre: Community offender support program centre.

MNCCC: Mid North Coast Correctional Centre.

SCCC: South Coast Correctional Centre.

The Council: Shoalhaven City Council.

The Department: NSW Department of Commerce. The NSW Department of Commerce has since been subsumed into the Department of Services, Technology and Administration.
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