

Queensland Community Safety Bill 2024

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Subject: [REDACTED]
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To: Qps Policy Consultation [REDACTED]

Thank you for the opportunity to respond.

Together supports changes to legislation to improve responses to domestic and family violence. We also support, generally, efficiencies that free up police to spend more time on the frontline of law enforcement, crime prevention and ensuring communities are kept safe and victims are protected. With respect to that principle we note that this was one of the aims of the civilianisation for the service where appropriate. That aspect underlines the importance of an appropriate amount of appropriately skilled and paid support staff to carry out those roles.

Where Together does hold significant concerns, however, is the proposal to to amend the Corrective Services Act 2006 to enable (but not compel) an authorised corrective services officer (CSO) to serve documents prescribed under the Domestic and Family Violence Protection Act 2012 and the Magistrates Court Act 1921 on a prisoner in a corrective services facility that must otherwise be served by a police officer.

We oppose this measure for the following reasons:

1. While Custodial Correctional Officers (CCOs) have a key role in the justice system it is a different role to Police, a key part of their role is to rehabilitate prisoners after they have been convicted. Unlike Police, they are not part of the process that leads to conviction, their involvement is post-conviction in monitoring and influencing behaviour as part of that rehabilitation process. Involving them in the serving of court documents that may result in negative impacts on prisoners or their sentence for behaviour outside of the correctional centre will reduce the effectiveness of CCOs in that rehabilitation role as they will be seen as part of the Police, rather than Correctional process.

The importance of building rapport with prisoners to ensure effective lines of communication is a key part of the rehabilitation process. This proposal puts CCOs in a position where the serving of legal paperwork on prisoners which could affect how they interact with their families and support networks would impede us in being part of the rehabilitation process.

2. The Correctional System is already overwhelmed with record numbers and overcrowding, there is simply no capacity for CCOs to take on additional duties without reducing dynamic security and a safe workplace.

Regards

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Together recognises and respects the Aboriginal and Torres Strait Islander peoples of the lands upon which we undertake our work to promote and defend the interests and values of members. We acknowledge the Traditional Owners and custodians who have cared for this country for thousands of years.

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Submissions of
Together Queensland



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Introduction

1. Together is one of the largest public sector unions in Queensland, representing over 28, 000 workers from across the public sector in health, education, public service departments and statutory authorities, as well as workers in the private sector. Together has consistently advocated for a fairer industrial relations system in the state, and our members have been at the forefront of improving the conditions of Queensland public sector workers and the services they deliver.
2. Together Queensland:
 - a. is an Industrial Organisation of Employees under the *Industrial Relations Act 2016* (Qld).
 - b. is a counterpart of the Australian Municipal, Administrative, Clerical and Services Union, Queensland Together Branch (Queensland Together Branch of the ASU). The ASU is a registered organisation under the *Fair Work (Registered Organisations) Act 2009* (Cth).
3. Together makes submissions specifically with regard to proposed amendments to the *Corrective Services Act 2006*.

Consultation

4. The Department Briefing paper tabled by the Queensland Police Service on 13 May 2024 briefs the Committee and the public that:
 - a. “Consultation material [regarding Amendments relating to enhanced police responses] was provided to domestic and family violence stakeholders to support the provision of feedback in relation to the proposed amendments, in addition to inviting the stakeholders to participate in information sessions to discuss the suite of policy proposals. A draft exposure was subsequently released to relevant stakeholders in early April 2024 which included the Chief Justice, Chief Judge, and Chief Magistrate.”
5. This evidence before the Committee omits information about the consultation process in ways that are potentially significant to the Committee’s consideration of this Bill.
6. On 2 April 2024, Together Queensland was provided with an Exposure Bill related to the *Police and Other Legislation (Police Efficiencies) Amendment Bill 2024*, together with a brief consultation paper outlining the policy proposals, for our review and feedback.
7. Together provided feedback on 19 April 2024 (Attachment 1) including general comments about that proposed Bill and specific feedback in relation to the Union’s significant concerns about proposed amendments to the *Corrective Services Act 2006*.
8. The Union appears to have received no response or further contact and was not advised by the Queensland Police Service that this same policy position was now proposed to be included in the *Queensland Community Safety Bill 2024*.
9. There has been no consultation with the Union on alternative ways of achieving the objectives of these sections of the Bill.

Proposed amendment of Corrective Services Act 2006

10. The explanatory notes describe this section of the Bill as “amendments to the CS Act to enable a trial of arrangements for corrective services officers to serve prescribed domestic and family violence documents on prisoners in corrective services facilities in prescribed circumstances”.
11. The Bill does not appear to provide for a trial or to prescribe any specific or unusual circumstances for this to occur but rather proposes an ongoing change to the powers of the Chief Executive of Queensland Corrective Services to designate facilities where Corrective Service Officers can be required to personally serve documents from the Queensland Police Service on prisoners whenever Police Officers are currently able or required to do so under the *Domestic and Family Violence Protection Act 2012*.
12. Together holds significant concerns and opposes these proposed amendments for the following reasons:
13. Firstly, the Union contends that the proposal is at odds with and is likely to negatively impact on the role of Custodial Correctional Officers in the monitoring and rehabilitation of prisoners in a correctional setting:
 - a. While Custodial Correctional Officers (CCOs) have a key role in the justice system it is a different role to Police Officers. A key component of the CCO role is to rehabilitate prisoners after they have been convicted. Unlike Police Officers, they are not part of the process that leads to conviction - CCO involvement in the justice system is post-conviction involving the monitoring and influencing of prisoner behaviour as part of that rehabilitation process.
 - b. Involving CCOs in the serving of court documents that may result in negative impacts on prisoners, or their sentence, for behaviour outside of the correctional centre, will reduce the effectiveness of CCOs in that rehabilitation role as they will be seen as part of the law enforcement process of the Police Service, rather than rehabilitation and correctional processes.
 - c. The importance of building rapport with prisoners to ensure effective lines of communication is a key part of the rehabilitation process. This proposal puts CCOs in a position where the serving of legal paperwork on prisoners is likely to affect how they interact with their families and support networks and would impede CCOs in performing their role in the rehabilitation process.
14. Secondly, the Union contends that the proposal is likely to negatively impact the security of correctional facilities and the safety of prisoners and staff due to the additional workload placed on staff.
 - a. The Correctional System is already overwhelmed with record numbers and overcrowding, and there is simply no capacity for CCOs to take on additional duties without reducing dynamic security and safety of the workplace.
15. Together Queensland recommends that the Bill is amended to remove these proposals to change the *Corrective Services Act 2006*.