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OFFICIAL

18 November 2021

Mr Peter Russo MP
Chair, Legal Affairs and Safety Committee
Parliament House
By email: lasc@parliament.qld.gov.au

Dear Chair,

RE: CCC Submission – Inspector of Detention Services Bill 2021

Thank you for your correspondence of 4 November 2021, seeking the CCC's views on this proposed legislation.

The CCC is supportive of Part 2 of the Inspector of Detention Services Bill 2021 (the Bill) which implements recommendations from a number of review reports, including the CCC's Taskforce Flaxton Report which recommended the establishment of an independent inspectorate of prisons with obligations to report publicly.¹

The creation of this new position of the Inspector of Detention Services (**Inspector**) will fill a significant gap in the oversight framework for detention services in Queensland and should reduce the risk and incidence of corruption in this sector.

I note that the Bill does not affect the CCC's jurisdiction to deal with complaints involving corruption in detention services; and that the Inspector will be a 'public official' under the *Crime and Corruption Act 2001* (CC Act) with obligations under section 38 of that Act to notify the CCC about complaints that raise a reasonable suspicion of corrupt conduct (see cl 59 of the Bill that amends the definition in the CC Act of 'public official').

The fact that the Inspector, who is independent of the Queensland Corrective Services and Queensland Police Service, will be subject to a legislative obligation to notify the CCC about suspected corrupt conduct occurring in prisons, youth detention centres and police watchhouses should mean that this type of conduct is more likely to come to the CCC's attention.

¹ Crime and Corruption Commission, *Taskforce Flaxton: An examination of corruption risks and corruption in Queensland prisons*, December 2018, recommendation 33.

The Inspector will also be subject to the CCC's jurisdiction and hence the CCC will be able to deal with complaints involving suspected corrupt conduct by the Inspector or by officers from the Office of the Ombudsman who are assisting with the Inspector's functions.

It is likely that the CCC will be asked by the Inspector to share information in the CCC's possession that will assist the Inspector to perform his or her functions under section 8 of the Bill. The CCC has the legislative power to disclose this information provided the CCC considers the disclosure is appropriate (s. 60(2) of the CC Act).

I trust this submission will be of assistance to your Committee's review of the Bill.

Yours sincerely

A handwritten signature in black ink, appearing to read 'A. MacSporran', with a long, sweeping horizontal stroke extending to the right.

Alan MacSporran QC
Chairperson