



Speech by

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**MEMBER FOR CABOOLTURE**

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**CORRECTIVE SERVICES LEGISLATION AMENDMENT BILL**

**Mr FELDMAN** (Caboolture—ONP) (12.14 p.m.): It is my pleasure to speak on the Corrective Services Legislation Amendment Bill. Before I commence, I wish to recapitulate on some of the statements made by honourable members opposite. We heard that the coalition was only good for sacking boards, allowing escapes from prisons, and letting prisoners out of jail for fun runs. I must remind members opposite that they should not be so bold or so proud of Labor's track record with respect to prisons and the sacking of boards because that would certainly be a case of the pot calling the kettle black. Speak in haste and repent at leisure!

As a former employee of the Queensland Police Service, and as someone who has a decent memory, I recall the bad old days of the revolving door prisons, minimum sentencing and the social worker path down which Corrective Services was being fast-tracked. That occurred under a Labor administration. Too many times as a police officer I was called upon to search for or chase down escapees from the old Woodford Prison after motor vehicles had been stolen during the escape. Caboolture police were called in to assist and to set up road blocks and chase down the escapees. On one occasion some four or five prisoners escaped in one hit from that prison. The only board that I have seen sacked since I have been in this Parliament was the fire board, and that action was taken by the Government's Emergency Services Minister.

I must personally thank the Minister, his staff and representatives of the Queensland Corrective Services Commission for the full briefing that they gave me and my staff in respect of the philosophy and ethos behind this legislation. This was done on short notice and I thank the Minister for his commitment to the passage of this legislation. This certainly allowed me to be more conversant with the finer points of the return of the QCSC and Q Corr to a department.

The purpose of the Bill is to restructure the Queensland Corrective Services Commission and its board and replace it with a department under the new Corrective Services Act. I am extremely grateful for the assurances I was given that no staff would lose their jobs during this restructure, as this was one of my major concerns. After all, this is a Government that is committed to jobs. The ethos behind this, as it was explained to me, is to enable the Minister to have a more hands-on practical and directional role within the framework of the new department, giving him essentially more control over his own Ministry in Corrective Services.

The first section of this Bill, which relates to the maximum security unit at the Woodford correctional facility and which allows for the isolation and detention of maximum security prisoners, has been a long time coming. Like most people, I was under the wrong impression that the general managers of prisons—the old prison superintendents—had supreme control within their own facility and when someone was playing up—when they were bad or committed further offences whilst in jail—prisoners were further punished and could be isolated and that further action could also be taken against them for the breaches that they committed under the prison regulations. Unfortunately, it appears that there are currently no legislative powers or provisions allowing for the separation of maximum security prisoners from other prisoners within a Corrective Services facility. This Bill provides for this very situation and backs up the powers that general managers should have in their own facilities.

The maximum security unit at the Woodford correctional facility—the only MSU in Queensland at present—houses 20 prisoners. We have been assured that two other MSUs are in the process of

being built. This will make another 40 beds available for hardened and violent prisoners. One must bear in mind that, as the member for Lytton has already told us, there are approximately 4,790 prisoners in custody. In that case, this facility is available to adequately punish only one in every 240 prisoners. The new facilities will cut this down to one in 80 should the need arise. We certainly hope that the need does not arise.

Prison superintendents, or general managers, used to make the rules in their own facilities, especially relating to the control, isolation and punishment of prisoners. They controlled their prisons. In this politically correct, namby-pamby era of softly, softly social worker type, feather-duster punishment, it is pleasing to see a Minister stand up to the litigation demon. In these days of prisoners' rights, litigation, prisoner support groups, social psychologists, and the expanding shadow of the United Nations human rights agreements, it is a wonder that we have any prisons at all. I cannot get over the recent case of the famous five—Abbott and his friends—attempting to divest themselves of their much deserved solitary confinement.

Again I must point out that the 20 who are feeling what is supposed to be the horrendous touch of isolation are people who are violent, who are predisposed towards violence against prison officers, who are escapees, who are conspirators to escape, and who rape or murder inside the facility. There are no Mahatma Gandhis or Jim Pearces in this lot—no saints, no martyrs at all. We have heard from solicitors and the media hype about black holes and sweatboxes. I could even hear the squeak of the rats and the cockroaches around Steve McQueen as I remembered the movie, *Papillon*, and I had the vision of the sweat dripping from Paul Newman in the hole out in the bayous of Louisiana in *Cool Hand Luke* as these solicitors and the media spoke. However, we do not have these black holes any more. There is no Boggo Road black hole and sometimes I think that is more the pity.

Let me describe some of the abject horror that these poor 20 prisoners have to endure in isolation. They will have single-cell accommodation, natural lighting from windows—they can see outside—and access to prison programs, computer courses and education. They will have books, magazines, television, three meals a day, two hours of exercise in the yard, access to medical help and a thorough medical and psychiatric examination on entering the MSU and every 28 days after that. Is it not any wonder that at present there are no waiting lists for this facility as there are in our hospitals? This is hardly what I or any other person in Queensland would call maximum security solitary confinement and an extreme form of punishment for those prisoners who are so bad, so violent, so untrustworthy or so dedicated to escape that they must be further punished or ostracised from other persons in the prison community.

I concur with the Minister on this point in the Bill, but in relation to some of the points in the Peach report, we differ. For instance, we differ on recommendation 33 in chapter 3 of the Peach report, which relates to the Proactive Support Group. The abolition of this group appears to have come directly from left field and appears contrary to the sentiments expressed in the strong amendment about the MSU.

I shall outline some of the duties of the Proactive Support Group. It conducts security audits and represents views within correctional centres to ensure professional standards in all facets of the audit. It monitors, assesses and reports on the effectiveness of each correctional centre's emergency procedures, with particular attention to the level of preparedness and capabilities of the centre and staff to respond to emergency situations. The Proactive Support Group also plans, coordinates, transfers, or escorts identified high-profile prisoners as directed. It plans, coordinates, oversees and implements random urine testing in correctional centres, ensuring professional standards in all facets of the testing process. The Proactive Support Group also plans, coordinates and conducts target searches of prisoners and areas within correctional centres as identified by the Proactive Intelligence Network or as directed by the general manager. It also plans, coordinates and conducts target searches, surveillance and interception of suspect visitors as identified by the Proactive Intelligent Network. Such visitors have been indicated as being a prime source of drugs coming into prisons. The Proactive Support Group also manages the provision of emergency procedures training as requested. In the event of an emergency, it responds rapidly and leads a team that will provide specialist—and I repeat, specialist—support to correctional centres. The Proactive Support Group also ensures that daily routines are effectively coordinated and that the team on duty remains as far as practicable in a state of preparedness for rapid deployment. As well, the Proactive Support Group maintains a high level of knowledge of the Corrective Services Acts and regulations, commission rules and general managers' rules, policy and procedures.

This group enjoyed a great rapport with and the confidence of the Queensland Police Service and the Queensland Police Service Tactical Response Group. It had occasion to train with those groups. The Proactive Support Group conducted joint initiatives with the Queensland Police Service, including the Corrective Services Investigation Unit, the Drug Squad and the PSRT.

When the Minister looks back over the seven-year history of the QCSC, he would recognise the troubles that the new corrective services facilities at Woodford, Borallon and Wacol had just after they

opened. If he is not expecting trouble with a capital T when SEQ1 and SEQW open, then he has already deluded himself. There will be trouble, and he has divested himself of the only first response group within Corrective Services trained for such trouble. This group could have handled any of these situations.

Already, this group has sent a warning message throughout prisons: no drugs; do not store illegal contraband or we will find it, or find you out; no ifs, buts or maybes, you will be found. This has seen a reduction in drug overdoses already in these facilities. So why stop something that appears to be having the desired effect? Why put to rest these random tests and random inspections of Corrective Services facilities when they were working and, indeed, were showing results? The Minister seems convinced that the placement of these highly trained officers within the audit and investigation units of the new department will still provide this much-needed service in a wider capacity. I certainly pray that he is correct.

We understand and appreciate the Minister's need to have a more finite control over his department and a more definitive role than he has at present with the fractured QCSC, Q Corr and the boards. The ethos behind this move has been explained, and I wait to see whether this strict and more finite control will indeed be a good thing. I wait to see whether this control can be maintained with credibility by the Minister.

The original intention of the Kennedy review was that the board would act as an independent committee to supervise the implementation of the recommendations of the review and ensure that the momentum for change and reform was not lost. However, it was found in the Peach report that the board did not drive the changes as was expected of it but it was merely reacting to external forces, especially those that impacted so dramatically upon it, including the 1988 commission of review, the 1991 Royal Commission into Aboriginal Deaths in Custody, the 1993 Public Sector Management Commission review, and the 1997 Mengler commission of inquiry. I am sure that, under the guidance of the Minister, the department will react in a very similar way and come up with positive reforms in line with any further external forces.

I also note in the report, and I agree, that the public face of Corrective Services was always seen to be the director-general or the Minister. It was always the director-general or the Minister who had to front the media and its entourage of paparazzi to answer all of those nervy questions, especially those questions that were asked in relation to deaths in custody, murders, rapes, escapes and sometimes, as the member for Crows Nest will remember, when prisoners go on hunger strikes. Those prisoners tried to hold the Queensland public to ransom by saying that they were going to starve themselves. They received the right response, which was that they could starve if they wanted to. I am sure that it was the director-general who was more likely to interface with the Minister over most matters due to the part-time nature of the old board and its members. I can see the Minister is really just formatting that which is in existence as these two bodies stand at present.

I hear from my colleagues on this side of the House that the inherent risk associated with this reform is the removal, or the lessening, of community input and the lessening of public scrutiny into corrective services. This will occur and, I am told, will occur only if Corrective Services becomes a closed shop, an island unto itself—something which I hope will not and should not occur. The hint of the Peach report is that Corrective Services does not work well with other external agencies or stakeholders, or at least does not work collaboratively with external agencies. The report goes on to say that it merely tolerates other stakeholders and even speaks of no stakeholder meetings for over two years. In this vein, I must point out that the Proactive Support Group was getting on exceptionally well with other stakeholders, including the Queensland Police Service and its agencies.

I look forward to no further troubles within Corrective Services and trust that the future trouble that may occur will be adequately and swiftly addressed by whatever body replaces the Proactive Support Group in the administration of the new-look department.

In closing, I commend the Minister for his strong stance in relation to the MSU. We will be supporting this Bill's passage through the House.

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