



Speech by

Mr N. ROBERTS

MEMBER FOR NUDGE

Hansard 24 March 1999

CORRECTIVE SERVICES LEGISLATION AMENDMENT BILL

Mr ROBERTS (Nudgee—ALP) (5.20 p.m.): I am pleased to have the opportunity to speak to this Bill, particularly that aspect of it dealing with the abolition of the Queensland Corrective Services Commission and Queensland Corrections. I have noted a number of the comments made by members, particularly from the other side of the Chamber, in recognising that this, in effect, is giving Government a stronger hand on the lever in terms of controlling corrective services.

In particular, I want to congratulate the Minister on this decision—and what I believe is a sensible and sound decision—to wind back some of the changes that have been made to corrective services over the past few years. In this era of economic rationalism, it is quite unusual to see a decision of this nature. In my view, the significance of the decision has gone relatively unnoticed in the community. With respect to the role of Government in the provision of public services, I think it is probably one of the most significant decisions taken for some years. In effect, it is a positive step towards reasserting the role of Government as a defender of the public interest and, in this case, taking a more direct and interventionist role in corrective services. I believe that is entirely appropriate.

Over the past decade, there has been a move towards corporatisation and privatisation of Government-provided services, and corrections was no exception. Under the corporatised structure that was put in place, the Queensland Corrective Services Commission became, in a sense, the purchaser of prison services for the Government. The corporatised Queensland Corrections became the Government-owned provider along with other private sector providers of this service. That arrangement represents the classic purchaser/provider split, which was supposed to improve service delivery and facilitate competition between corrective services providers. But in my view, it was a flawed approach for a number of reasons.

Firstly—and not the least—we are not dealing here with a genuine market. Not many people really actually compete to get into jail. Nor is there a lot of profit to be made out of jailing people. Nor are there many organisations that are prepared to focus primarily on the public service of containing and rehabilitating offenders—which should be the case—as opposed to focusing on the derivation of profit from their activities. Most private organisations that would enter this field quite rightly should be focused, first and foremost, on delivering a profit to their shareholders. Whereas that is commendable in a true market situation, corrections is not the classic market in an economic sense and, as such, focuses of that nature are not appropriate.

Under the current structure, day-to-day policy responses fell largely to the commission, its board and Queensland Corrections and its board. The problem with this, of course, is that whenever anything went wrong, it was not the commission or the boards that were held accountable by the public; it was the Minister. In effect, the structure shifted responsibility for the operation of prisons largely sideways to an invisible board, with the Minister almost reduced to being an interested bystander. The effect was that the Minister had indirect control but primary responsibility whenever anything went wrong. I am pleased that this Bill is finally addressing that quite significant flaw in that process.

I was pleased to note some of the comments attributed to the Leader of the Opposition—which have been quoted before, but I believe that they are worthy of quoting again—in the *Courier-Mail* of 24 October in relation to this issue. Mr Borbidge is reported to have said that—

"There has been a tendency in recent years for Governments to hand control of the public administration of certain policies to unelected commissions or councils.

...

They are not interested if the Government of the day has delegated responsibility to someone else because, at the ballot box, the someone else is not accountable.

...

Governments have not had their hands on the levers and have paid the ultimate political price."

As I said earlier, I agree wholeheartedly with those sentiments. It was time that something constructive was done about it, and this Bill tackles that issue fairly and squarely. Personally, I believe that there are other areas of Government activity where similar problems exist. It is my hope that the experience of this decision will shed some light on how to address those problems in those areas in the future.

The key change arising from this Bill is the creation of a new department, with the establishment of a new commercial unit within the department to manage custodial corrections facilities. In my view, the changes in this Bill will improve accountability and the decision-making process. The person directly responsible for corrections, that is, the Minister, will be better placed to respond to issues and problems as they arise.

Many members have spoken about the corporatisation issue. I think it is fair to say that it is not an appropriate management model in all circumstances. I believe that experience has proven that, in the case of corrections, it is certainly not the most appropriate model to manage that system. There are sound arguments against the corporatisation of an agency which is primarily responsible for the curtailment of an individual's liberty, and also where severe sanctions are administered. Because the Minister will always be held directly responsible by the public for the administration of such facilities, it is appropriate that the Minister has actual and not indirect control.

There are, however, some positive changes made during the corporatisation process which will be retained under the new structure. In particular, the specification of service standards required within our corrections facilities will be retained in contracts that will be signed between the department and the service providers. Additionally, the retention of the commercial focus on the new corrections unit within the department will allow for the retention of a competitive tension to exist within that organisation. However, many of the decision-making barriers to which I have referred will be removed.

I commend this Bill to the House and once again congratulate the Minister on implementing what, in my view, is one of the most significant legislative changes so far introduced by this Government.
