



Speech by

**WARREN PITT**

**MEMBER FOR MULGRAVE**

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Hansard 14 November 2000

### **CORRECTIVE SERVICES BILL**

**Mr PITT** (Mulgrave—ALP) (12.52 a.m.): The Corrective Services Bill 2000 represents a long overdue rewrite of legislation and brings it into line with current community expectations. The Bill provides for the abolition of remission and an assurance that each and every serious offender is released under some form of supervision. The Bill provides for consistency in the operations and procedures of all corrective services across the State within reasonable bounds. The Bill tightens the measures used to control the use of telephones and written correspondence by prisoners. The Bill also clarifies the issues surrounding the application of strip searches and the use of force within facilities. Corrective Services facilities are dynamic and complex institutions. To effectively manage them in the best interests of society as a whole and in the interests of the staff and inmates requires the establishment of practices that are transparent and clearly understood by all stakeholders.

Official visitors are important elements of our Corrective Services framework. Prisoners still have certain rights and the concept of official visitors is recognition of this. There has been debate surrounding the Bill's provision for official visitors to be appointed at the discretion of the chief executive. However, I have been assured that there is definitely no intent to make the appointment of official visitors discretionary. On the contrary, such appointments will continue to be made to Corrective Services facilities.

As the Bill deems that Corrective Services facilities also include WORC sites, it is important that the Bill offers some flexibility. Most of these sites are at remote locations and to appoint an official visitor to these sites would be highly problematic. The new arrangements are a practical response to the broad availability of access to an official visitor. Prisoners at these sites will still have access to official visitors. This can occur on their regular return from the remote sites to the WORC headquarters at Wacol. They will not therefore, as some suggest, have their rights abrogated in any way whatsoever.

The official visitors' role to hear complaints from offenders on community-based orders has not been translated into the new legislation. It must be remembered that these offenders are not in secure environments but are serving their sentences whilst remaining in the community. They therefore have access to all the avenues available to the general community to lodge any complaints. Again, the rights of prisoners have not been eroded.

Some criticisms have been made that official visitors cannot make any Corrective Services officer or prisoner answer any question put to them by the official visitor. Such a requirement would contravene a fundamental legislative principle under the Legislative Standards Act, that is, that adequate protection must be provided against self-incrimination. Not only do prisoners' rights have to be maintained; so, too, is there a need to preserve the rights of Corrective Services officers.

The giving of this power to official visitors would result in duplication and, most likely, conflict. Official visitors will have access to any documents kept for the purposes of the Act and are to be provided with a copy of such a document. The new provision within the Corrective Services Bill 2000 does not limit the official visitor's power to have access to documents relevant to an inquiry undertaken by the official visitor.

The Criminal Justice Commission jurisdiction includes Government-run prisons and, under the Bill, it will be extended to privately run prisons. This is vital if there is to be any meaningful standardisation of the ability of the CJC to appropriately investigate Corrective Services issues.

In conclusion, I congratulate the Minister on bringing this Bill before the House. The community has every right to feel secure in the knowledge that our Corrective Services facilities are being run professionally. They demand that the incarcerated are kept secure and that inmates pay their full dues to society. In a civilised society, they demand that the basic rights of inmates are preserved. This Bill goes a long way towards achieving these ends. I commend the Bill to the House.

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