Speech by

Hon. T. McGRADY

MEMBER FOR MOUNT ISA

Hansard 7 November 2001

CORRECTIVE SERVICES AMENDMENT BILL [No. 2]

Hon. T. McGRADY (Mount Isa—ALP) (Minister for Police and Corrective Services and Minister Assisting the Premier on the Carpentaria Minerals Province) (8.36 p.m.), in reply: First of all, I thank the opposition for supporting this bill. I also thank it for assisting us to pass the bill through all its stages today. As the responsible minister, I certainly appreciate its cooperation, as does the government. I also want to thank my colleagues from the government benches—the members for Gaven, Mount Ommaney, Redlands, Mulgrave and Bulimba—for their very sensible and certainly well-researched contributions.

I want to take up some of the points which the shadow minister, the member for Callide, made. The first point is that there are two types of prisons. One is secure custody, which is the traditional type of jail where prisoners are basically locked up. The other is what we refer to as open custody, which is a type of prison farm. I repeat that there has not been any escape from a secure custody centre since the Beattie government came to office. That is what the Premier was referring to on Thursday of last week and again today. That is what he said, that is what he meant, and I confirm he was correct. Tonight I do not intend to get involved in comparing our record of escapes with that of the now opposition. We can all talk about the Brendon Abbotts, but it serves no purpose whatsoever. It resolves absolutely nothing. I repeat again that under the Beattie government there have been no escapes from secure custody centres.

The member for Callide referred to keeping drugs out of prisons. I have to say that I am fairly proud of the actions which we have taken in this regard. Recently legislation was passed in this House whereby we clarified the position of strip searching. I again thank the opposition for its support. I received a lot of comments from people who had some anxiety about the indignity of people having to suffer a strip search after a contact visit. However, it referred of course to prisoners. We certainly did not suggest that we would strip search visitors. It related to prisoners who returned after a contact visit. The reason we took this decision was that we felt that the incidence of drugs inside the prison had increased when there were contact visits.

I have to say—I say it all the time—that I refer to myself as a born-again antidrug campaigner. In the job I currently have I see first-hand the damage which is being done to young and old people who involve themselves with this poison. I believe that nothing is too harsh for those people who are selling these drugs, these merchants of death. I do get a little concerned when people imply that we are not serious about keeping drugs out of jails.

Almost 80 per cent of the people who are inside the Australian prison system are there as a result of drug related crimes. It is a major problem. It is a major concern. It is one that we as parliamentarians all have to address. Any suggestion that we are going easy on allowing drugs inside prisons certainly causes a great deal of concern to me.

Not only have we introduced strip searching; we have also brought in sniffer dogs and electronic devices at the entrances to prisons. As people walk in they go through a system whereby officers can tell if someone has even handled drugs in the previous 24 hours. We also have random drug and urine tests inside prisons. If anybody has any ideas at all as to how we can improve this system of keeping drugs outside of prisons, they should come and talk to us.

The member for Callide referred to mobile phones and other instruments being found inside the jail. The operative word here is 'found'. It was through the tenacity of prison officers that these mobile phones and other instruments were found inside the prison system. That information was not leaked to the media. The media did not receive inside information. Who told them that mobile phones had been found inside the prison system? I as the minister told them! When I first came to this position I made it clear that I was going to change the whole philosophy of our relationship between the prison system and the public via the media. One of the first things we did was invite the media into the prison system, and they came. They saw for themselves what went on inside the prisons. The other thing we did was have the art exhibition so that the whole of Queensland could see the culture that is developed inside the prison system.

Every time there is an incident inside prisons, the media does not have to rely on leaks. We tell them. We send out a media release. As soon as we have the information we send out a media release. There are times when, because of certain circumstances, we cannot give too much information, but every single time there is an incident inside the prison system we tell the media and the media tell the people of Queensland. That is something I am proud of.

The member for Callide then went on to talk about all the reviews we were having. We have had two major reviews. One was an internal review. For the other we commissioned consultants to come in and give us some advice as to any areas in which we may not be doing the job as well as we should be. As a result of these reviews we tightened up procedures. We tightened up on leave passes. The director-general herself now accepts a lot more responsibility for the decisions she alone makes than any previous director-general. She alone, at the highest level, makes decisions which used to be left to officers lower down the tree. It is quite apparent to me that I cannot divulge all of the recommendations of these reviews because they are all about security in the prison system. What a joke it would be if I were to stand up tonight and tell the House about all the changes we have made. It would be an absolute waste of money.

We are dealing with the prison system, and over a period of time mistakes are made. I am the first to admit that. The reason we make mistakes is that the people who run the prison system are human. As an example, a justice of the peace signed a warrant in error and the departmental people were obliged to act in accordance with the warrant. As a result there was an embarrassment. I cannot guarantee tonight that there will not be any further mistakes in the system because, as I said, people are human and from time to time mistakes are made.

The member for Callide referred to the sacking of one of the parole boards, the south Queensland board. I emphasise that boards, whether they be parole boards, electricity boards or any other type of boards, are appointed for a period of time—normally three years. Parole boards are appointed for three years. At the end of the three-year period their term expires. The Governor in Council can reappoint the board in full or can reappoint individual members of that board, or the Governor in Council may decide that it might be time for a complete change.

I made recommendations to the cabinet with regard to this board, cabinet made recommendations to the Governor and we changed the board. Its members were not sacked, as the member for Callide suggested. They had come to the end of their appointed time. As such, we appointed a new board. We met all the criteria of the act for appointing a new board—so many solicitors, so many doctors, so many women, indigenous people and so on. I say again: I have no hesitation whatsoever in making changes as the terms of other boards expire. I may recommend that people remain board members. I may recommend that there be changes. When the member for Callide said that I had sacked the board he was wrong. I did not sack the board at all. Its members came to the end of their appointed time.

One thing I have learned about this job is that every single person in this state has an opinion on corrective services. Anybody I talk to will tell me what they think should be done inside the prison system, and that is healthy. I have to say that since I have been in this position my views have changed. I am sure that the views of the member for Callide have changed. I listened with interest tonight to some of the things he said, and I welcome his change.

The point every one of us in this state has to remember is that there are two options. We can lock a person up and throw away the key, but one day that person will walk out of prison and may live next door to us. The other option is to prepare people for the day they move back into the community and may live next door to us. There are a few exceptions, but the latter model is the one to follow.

I will give an example of the point of this legislation. For the purposes of the exercise we will say that a prisoner has received a sentence of eight years imprisonment. Under the old system the sentencing judge may have made a recommendation that after two years this person be considered for parole. So after the prisoner had served the two years he or she could then apply for consideration to be paroled. From 1 July the legislation changed. Previously, when someone had served 50 per cent of their sentence less 10 months—for an eight-year sentence that is three years and two months—they could apply to go out on release for work. After three years and eight months they can apply for home

detention. What the new legislation states quite clearly is that they cannot be considered for either release to work or, indeed, home detention or parole until they have served 50 per cent of their sentence. So under the example I have given, they cannot apply until they have served four years.

The problem that has arisen is that those people who were sentenced before 1 July and believed that after three years and two months they could apply have missed the bus. In one case a person appealed, and the member for Callide quoted what Justice Atkinson said. She simply said that we had not spelt it out clearly enough. The purpose of these amendments is to clarify the position and make it retrospective to 1 July this year. That is what this legislation is all about. It is simple. It is to the point.

The other amendment defines 'unlawfully at large'. There was a concern that if people had not returned from home detention or some other system, it was not really an offence. So we are clarifying this now. If a person does not return, that person is eligible to serve a two-year term. So that is basically what this legislation is all about.

I want to thank all those members who have made contributions to this debate. I want to thank the opposition and, in particular, the shadow minister, the member for Callide, for the support which he has indicated and the opposition is prepared to give us. It demonstrates to me, and certainly to the whole House, that when a government comes forward with legislation we do not need this cut and thrust of debate between the government benches and opposition benches and that there are times when we act in the interests of the state. Judging by the comments made by the shadow minister tonight, I think that this applies tonight.

I have given the example of a person who is sentenced to eight years. After four years they can still apply for parole. So the eligibility date for parole does not change, but as I explained before it does change for home detention and release to work. That is where people lose out now, because they cannot apply for those before 50 per cent of their time has been served.