



Speech by

Hon. Neil Roberts

MEMBER FOR NUDGE

Hansard Wednesday, 22 April 2009

CORRECTIVE SERVICES AND OTHER LEGISLATION AMENDMENT BILL

Second Reading

Hon. NS ROBERTS (Nudgee—ALP) (Minister for Police, Corrective Services and Emergency Services) (12.24 pm): I move—

That the bill be now read a second time.

I am pleased to introduce this legislation, which reflects the diversity of the business managed by the Department of Community Safety. The new department reflects the twin goals of keeping the community safe by, firstly, protecting lives and property through emergency services and, secondly, the protection of the community by corrective services through the humane containment, supervision and rehabilitation of offenders.

One of the key aims, on which this legislation delivers, is to improve community safety. This bill achieves this aim by taking into account that there are some rights that will be necessarily diminished by imprisonment but nevertheless recognising and safeguarding an offender's basic human entitlements. As the minister accountable for Police and the Department of Community Safety, I am committed to the Q2 goal of fair communities and supporting safe and caring communities. This bill will help the Bligh government deliver on its goal of building safer communities.

Good, responsive government must continually investigate new opportunities to protect victims, punish offenders appropriately and offer offenders chances to reform and contribute positively to the community. It is these things that will achieve a safer community. This bill is one more step in that direction and to achieving this government's aim for Queensland to have the most effective correctional system in Australia.

I am pleased to say the 2009 *Report on government services* shows Queensland is already one of the most cost-effective correctional providers in Australia, with the lowest cost per prisoner per day. Additionally, of the four national recidivism measures, Queensland had either the lowest or second lowest rates of return to prison or community corrections in each measure. However, in order to become the No. 1 correctional services system in Australia, the Bligh government needs to remain vigilant and responsive to the challenging environment facing corrective services officers.

Our correctional administrators and staff have a very taxing job working with the most vulnerable, highly demanding and problematic individuals of our society. In order to keep the community safe and ensure offenders are appropriately punished and given an opportunity to reform, these officers need the right guidance and tools. Modern and responsive legislation is one of those tools. The Corrective Services and Other Legislation Amendment Bill will make a number of important amendments to the Corrective Services Act 2006 that will support rehabilitation and correctional staff, improve safety and security in correctional centres and recognise victims.

The Bligh government will relieve any worries held by the community about the criminal justice system by having the most effective system in the nation. The government understands it is more important than ever for community members to feel safe to go about their daily business. That is why the Bligh government is working hard to protect the public. We will do this by not only having tough penalties but also having an effective correctional system that both punishes and reforms offenders which, in turn, will reduce reoffending.

I firmly believe the public's expectations are higher than ever in seeing value for money from its correctional system. The onus is firmly on the public sector to achieve more with less through innovation and reformation. There is no use building more and more prisons unless we stop the revolving door.

The changes brought about by this bill will not cost government, and ultimately taxpayers, any more to implement. Yet they are important changes that will help keep the community safe. The amendments are just one way the government is ensuring criminal justice and punishment is relevant and real and delivers value for money. By 'real', I mean that justice is visible; that the community can see there are not only real consequences of criminal conduct, whether it is in the form of imprisonment or some other punishment, but also real opportunities for rehabilitation.

This bill supports the increased use of prisoners participating in community service work through work camps by abolishing reintegration leave of absence in favour of more relevant programs that enable offenders to continue with the transition process back into the community. This process encourages prisoners to begin their reintegration into the community by being involved in meaningful work in a community, then following this up with involvement in the transitions program that uses real organisations to help the offender with reintegration into society.

The prisoner work camps and community service programs run by Queensland Corrective Services are good examples of how punishment, reparation and rehabilitation work. Low-risk prisoners and community services offenders were visible recently in the clean-up of the oil spill along Sunshine Coast beaches. The public can see there is a clear consequence for offending at the same time as offenders use this opportunity to give back to the community.

Between September 2008 and February this year these work camp and community services programs contributed 235,000 hours of unpaid work to the community, which equates to \$3.5 million in value. Low-risk prisoners have worked at many natural disasters in this state since early 1990 to help communities in the recovery phase. They will continue to do this important work throughout these tough economic times, where more than ever unpaid work will be critical to keep communities going.

The bill abolishes a redundant form of leave of absence, resettlement leave of absence, in favour of prisoners using transitions programs and receiving support after they leave prison from services such as offender reintegration support services.

The bill is also relevant and real for victims of crime. Victims will not be left to feel they are being punished while offenders get off scot-free. It is essential that victims continue to remain a central focus in any law and order policy agenda, and that is why protecting victims is a priority for the Bligh government.

The bill allows prisoners to give custody of their artwork, but not property or interest in it, to another person. It will be an offence for prisoners to sell their artwork. There is a good reason why this is being done; it starts with the government listening to victims. Victims have said it is insensitive to them to see prisoners being paid for their time in prison, instead of paying for their crimes. This can be terribly upsetting for victims suffering the after-effects of violence or predatory sexual behaviour and those who are unable to make a decent living themselves. Therefore, the bill prevents serving prisoners selling artwork they have created in prison.

Other key amendments include giving the chief executive the ability to ban visitors to correctional centres who bring drugs into prisons and ruin the chances of prisoners reforming. Other amendments will help visitors who play a role in a prisoner's reintegration and rehabilitation, by allowing them interim access approval pending the receipt of information needed to fully assess their application.

The bill also allows child safety officers access to corrective services facilities without having to submit an application. Child safety officers play an important role in maintaining bonds between parents and children during periods of incarceration. Their involvement with prisoners and their children is vital in assisting a prisoner to maintain links with their children and as a consequence improve the chances of the prisoner's rehabilitation. The bill provides that law enforcement officers and emergency services officers who need to access corrective services facilities have the same access privileges as child safety officers.

The bill makes amendments to ensure that visitors provide information for the biometric scanning systems. Modern correctional facilities use biometrics to quickly process in and out of the centres all visitors including judicial, ministerial, religious, government, professional and personal visitors. Using modern technology will leave staff with time to get on with the real job of protecting the community by ensuring prisoners engage in meaningful activity and rehabilitation.

One of the bill's most significant amendments in terms of achieving community safety relates to giving parole boards sufficient time to make the extremely difficult decision of letting prisoners leave prison on parole. In basic terms, the parole board's job is to accurately predict the future. While this is an oversimplification, these are not decisions boards take lightly. Parole orders must balance reintegration needs with treatment and appropriate supervision.

The boards, as gatekeepers and guardians of the community, need this extra time for dealing with prisoners who may have committed a serious crime and have complex problems. These problems include prisoners' issues in relation to accommodation, family and social support, medical, mental health, cognitive and physical disabilities, to name a few. I seek leave to have the remainder of my speech incorporated in *Hansard*.

Leave granted.

Parole boards also must consider the needs of victims who may advise them that prisoners be restricted from returning to their chosen place of residence. As a consequence this means before issuing parole the board must be confident that a prisoner's potential home address is suitable—several addresses may need to be assessed by Corrective Services before finding the most suitable accommodation.

Alternatively, parole boards may require further information and need to commission reports for assistance from experts and Corrective Services officers to help the parole board to assess risk and craft parole conditions which address these issues and reduce the prisoner's risk of re-offending.

These reports may advise the parole board that the prisoner's risk of re-offending is too high and that he or she needs to remain in prison to continue with their rehabilitation. The board then needs to give a comprehensive statement of written reasons about that result to the prisoner.

The bill will increase the time frame for making a decision from 120 days to 180 days. Where the parole board defers making a decision to obtain further information they must determine the application within 210 days. To ensure applications for parole can be considered prior to a prisoner's parole eligibility date, an application for parole may now be submitted 180 days prior to the eligibility date.

This amendment is crucial to enhancing the ability of the parole board to make decisions that ultimately affect the safety of the community. It is vital that they have the time to consider every piece of information so that their decision to release or not to release a prisoner into the community is underpinned by sound evidence.

The bill also makes related changes to repeal the provision in section 193(5) of the Corrective Services Act 2006 which provides that if the board fails to decide an application within 120 days after its receipt, the board is taken to have refused to grant the application.

A prisoner will also continue to have access to the Judicial Review Act 1991 in respect of decisions made by the parole board.

The bill also makes a number of simple amendments which will clarify the ability of prisoners to travel overseas to assist with trials abroad.

Finally the bill repeals an obsolete piece of sporting legislation.

The Bligh government will not be resting on its laurels or taking for granted the trust the community has put in it. I know there is always room to improve.

The development of new legislation for the management of offenders in Queensland is a key element of keeping the community safe.

It is a Bligh government priority to ensure Queenslanders are confident we will continuously strive for improvement in the laws that govern the criminal justice system.

This government understands that listening to the community and meeting their needs is vital to earning and keeping the community's trust in corrective services and the criminal justice system as a whole.