



Speech by

Hon. Neil Roberts

MEMBER FOR NUDGEE

Hansard Wednesday, 19 August 2009

CORRECTIVE SERVICES AND OTHER LEGISLATION AMENDMENT BILL

Hon. NS ROBERTS (Nudgee—ALP) (Minister for Police, Corrective Services and Emergency Services) (5.17 pm), in reply: I would like to thank all members for their contributions. I will take the opportunity to address some of the more significant issues that were raised in the debate and then come back to individual contributions if time permits. The first thing I want to do is pay tribute to the former minister, Judy Spence. She had carriage of the work, along with the departmental officers, to develop this bill prior to the last election. It is something which I have inherited and I now have responsibility for, but all the credit in terms of the hard work in developing these provisions should go to the former minister and the department.

I will briefly touch on some of the significant issues that were raised because a number of them were covered in my second reading speech and some government members clarified some of the misinformation that has been promulgated by opposition members. The first issue relates to the interim access approval provisions. As members are aware, to access a prison visitors are required to submit an application form and undergo criminal history checks. Those criminal history checks generally take some weeks; they could take four or five weeks or longer depending on their complexity.

This bill amends the provisions to allow visitors interim access while the criminal history check is being undertaken. This is not an open-ended provision; this is targeted particularly at circumstances where it is in the best interests of the prisoner themselves and their wellbeing. It will enable the son, daughter or partner of the offender, for example, to gain access for a non-contact visit in those very early stages of incarceration. This provides support in particular to the offender's family members. Bearing in mind that victims are the most important people, we do need to take into account the family members. These provisions will provide an interim measure at the discretion of the chief executive officer for non-contact visits in those circumstances.

A number of members talked about Indigenous overrepresentation. Of course that is of significant concern to the government, and indeed the entire community. With only 3.6 per cent of the Queensland population, 26.5 per cent of male prisoners are Indigenous and 27.4 per cent of female prisoners are Indigenous. That is an issue of significant concern not just for the department of corrective services or the police; it is a whole-of-community and a whole-of-government issue and one which we all need to continue to put a lot of effort into.

One of the initiatives put in place by Queensland Corrective Services is to increase the confidence of the courts that Indigenous, and indeed all, offenders can be properly supervised in the community through parole orders. Queensland Corrective Services has now established permanent probation and parole reporting centres in a range of remote and Indigenous communities including Cooktown, Doomadgee, Mornington Island, Normanton, Thursday Island, Weipa and Woorabinda. Those permanently located corrective services and probation and parole officers now provide the courts and those Indigenous offenders with more opportunity to serve out their sentences under appropriate supervision in their communities. That is something which hopefully can reduce the need for some

Indigenous offenders to spend a lengthy time in jail when it might be more appropriate for them to serve the remainder of their sentence in the community.

In terms of the parole board, a number of members raised issues about the time frames for the extensions for determining parole board matters. The member for Gregory used the term that court ordered parole is a get-out-of-jail-free card. Court ordered parole is a recent innovation and is indeed being looked at by jurisdictions across the country as an appropriate measure to properly supervise offenders in the community, particularly low-risk, short-term offenders. We have had many community debates about putting people behind bars for relatively minor offences, and people who commit significant offences should be put behind bars. But there are some where a court ordered parole response from the courts is entirely appropriate.

These court ordered parole initiatives, as I have indicated, are another option for the court. It is a matter for the court to determine whether an individual is suitable to be released into the community for parole. The interesting part about the member for Gregory's argument is that, on the one hand, he was arguing that too many people are being let out on parole and, at the conclusion of his debate, he seemed to be arguing that we are putting too many people in prison, using New South Wales or one of the other states as an example. It is a little difficult to fully understand the opposition position on that issue.

In addition to the probation and parole issue, the budget included \$2.4 million to manage growth in demand for probation and parole services and to improve supervision and reparation to the community. The government is committed to ensuring that appropriate supervision and support are provided through our probation and parole services. Currently there are around 15,000 offenders on community based and parole orders in urban, regional and remote communities.

Some issues were raised in terms of increased workload for the parole boards. The government has provided extra funding and there are new appointments due to the boards. That is a matter which I am dealing with currently. The member for Gregory suggested that I should have a veto over parole board decisions. This government holds to the view that parole boards are independent bodies. They have expertise there to make decisions about when it is appropriate to release a prisoner based on their risk profile. The risk to the community and the safety of the community is of paramount importance. That is not a matter for a politician or for a minister to make determinations on. The member's suggestion that I have a veto over parole board decisions is not accepted. I, of course, have the responsibility to appoint parole board members, and in making those decisions we choose people who in our belief are appropriately qualified to make those decisions, particularly those decisions based on community safety.

The issue of illicit drugs was raised by a number of speakers. Queensland Corrective Services has a range of supply reduction methods. There is no prison in the world that is able to completely erect a barrier to preventing drugs or mobile phones into prisons. Of course they are a problem. They are a problem which is being grappled with by corrective services agencies all over Australia and indeed in most of the Western World.

Queensland Corrective Services does have a range of strict barrier control measures to prevent illicit drugs entering our facilities. This includes drug detection dogs. In fact, Queensland Corrective Services has the largest Dog Squad of any correctional agency within Australia which includes both the general purpose dogs—they are the more aggressive dogs that are used in more difficult circumstances in prisons—and the passive alert drug detection dogs, who are trained specifically to detect drugs both for people who might be visiting or intending to visit jails but also once inside.

It is interesting to note that in the period 1 April 2008 to 31 March 2009, 2,355 barrier detections were recorded, showing that the barrier detection methods are quite effective in preventing drugs getting into jail. Other methods include the use of X-ray scanning of personal property, personal scanning and use of intelligence information obtained by specialist staff and electronic recording equipment. Offenders who test positive to a prohibited substance are subject to penalties including loss of privileges and restricted movement. Also, depending on the significance of the offence, criminal charges may also result.

Serco Australia, which is contracted by the agency to operate Borallon Correctional Centre, will be trialling the use of contraband technology that to date has not been utilised in any Queensland or Australian prison. It is proposing to procure what is referred to as a body orifice security scanner—or BOSS—chair. That chair minimises the need for unpleasant and intrusive manual searches. It is unpleasant for the person it is being done to, and it is unpleasant for the person who is doing it. This new technology will be an opportunity to see how effective it is in detecting drugs on prisoners.

The member for Gregory and others talked about the Labor government and its record on drug detection in prisons. It is interesting to look at the detection rates. In 1996-97—midyear in the Borbidge government's reign—the rate of detection for prisoners returning a positive drugs test was 17.9 per cent. I wonder whether the member would like to have a guess or even an estimate of what it is now. Now 3.14 per cent is the rate of detection. Under the National Party government, the rate of positive drug tests was 17.9 per cent. Under the current regimes put in place by the Labor government—the barrier protections put in place—the rate is now 3.14 per cent. Whereas that rate is too high and it needs to be

reduced—we do not want any drugs in prisons if that is possible—the rate under the National Party was six times higher.

In terms of the *Report on government services*, the member for Gaven claimed that Queensland is fudging nationally agreed correctional performance statistics. In particular in relation to recidivism rates, it is important to state again that Queensland has the lowest reported rates of recidivism in Australia in three of the four categories including prisoners returning to either prison or community corrections, at 42 per cent; offenders returning to community corrections, at 12.1 per cent; and offenders returning to prison or community corrections, at 20.4 per cent. They are the best rates in the country. In the fourth category of prisoners returning to prison, Queensland has the second lowest rate of 33.6 per cent. The claims by opposition members on that issue are just plain nonsense.

A number of members spoke about the transitional programs and the integrated transitional support program. I thank them for their support of that initiative. The old systems of reintegration leave and resettlement leave are being abolished. They were unstructured and in a sense unsupervised. The new approach is to have a more targeted, evidence based transition program so that when prisoners are released into the community they are better able to cope with the challenges of leading a life in the less than structured way they have in prison.

I want to clarify an issue raised by the member for Gladstone. She raised the concerns of one of her constituents who apparently was concerned about being strip-searched on a visit to a prison. I reassure the member for Gladstone that only prisoners are strip-searched, not visitors.

Hon. NS ROBERTS (Nudgee—ALP) (Minister for Police, Corrective Services and Emergency Services) (7.35 pm), continuing in reply: Before the break I was reassuring the member for Gladstone that strip searches are only conducted on prisoners and not visitors. Hopefully that will allay the concerns of one of her constituents who wishes to visit her husband, who is in jail.

I now want to respond to claims made by a number of members. The member for Glass House claimed that jobs would be lost at Woodford Correctional Centre. The centre is currently operating at well below capacity. The commissioner of corrections proposes to temporarily decommission 170 beds at Woodford Correctional Centre. It is obvious that the member for Glass House would rather have staff guarding empty beds. I am advised by the commissioner that there will be no forced job losses as a result of a temporary decommissioning of these beds. Queensland Corrective Services will form a joint task force with the Queensland Public Sector Union to address workforce impacts and establish case management for affected staff. The union and Queensland Corrective Services will work together to ensure the best outcome for those affected. That will include a range of initiatives to reduce the impact. Recruitment of staff has temporarily ceased, any known requests for transfers are being actioned, and offers to staff to transfer and relocate to other facilities are also being handled through that process. I just reiterate that there will be no forced job losses during that process.

I will make a few brief comments about the contributions of individual members. The member for Albert spoke positively about a constituent who was a former corrective services officer, and also her support for the extension of parole board time frames and prisoner artwork provisions. The member for Kawana made a bizarre contribution which deserves no further comment. The member for Mirani spoke of a decision to house supervised sex offenders on the prison reserve at Rockhampton. However, the member offers no solution to housing these offenders as they are transitioned back into the community once they have completed their custodial sentence.

The member for Mudgeeraba spoke of the abolition of reintegration and resettlement leave. The member for Broadwater spoke of her support of the prisoner artwork provisions and the artwork program, particularly the need to ensure that prisoners do not profit from their artwork while in jail. The member for Toowoomba North reiterated the importance of community work projects involving low-risk prisoners and highlighted the rehabilitative benefits of the Pups in Prison program delivered at the Darling Downs Correctional Centre in conjunction with Assistance Dogs Australia.

The member for Lockyer noted the establishment of the new prison precinct in Gatton, in his electorate. He would be aware that the establishment of that prison precinct will provide a massive long-term economic benefit to the Gatton community and region which will sustain employment in that area for years to come. Curiously, though, the member for Lockyer seemed to argue that the prison was too far away from public transport and that people would have to make STD calls. I can only assume by his argument that he is arguing the prison should not proceed there and should be relocated to another site. I am sure that his Gatton constituents who will rely upon the work and the economic benefit that this prison will deliver to his region will not be too impressed with that.

The member for Chatsworth spoke in support of extending the victims register to victims of offenders under the dangerous prisoner sexual offender supervision orders. I also thank him for acknowledging the efforts of Queensland Corrective Services in encouraging more Indigenous victims to register. That was a significant piece of work undertaken by the department.

The member for Morayfield supported the abolition of resettlement and reintegration leave and its replacement with structured evidence based transition arrangements. The member for Woodridge also offered the support of the artwork provisions, which aim to prevent prisoners profiting from their artwork whilst in jail, and also spoke about some of her local community groups which provide support to victims and measures to help offenders reintegrate back into the community.

The member for Burdekin claimed that our prisons are currently overcrowded. Obviously the member does not recall or does not know that the prison capacity in Queensland is currently 15 per cent under. We have 15 per cent spare capacity, in stark contrast to when the National Party was last in government when they were 15 per cent overcapacity and double-ups were the norm across the state.

I welcome the member for Redlands' description of the bill as progressive. However, I note that he claimed the proposed provisions would not prevent prisoners from selling their artwork but simply did not offer any explanations or solutions. The member for Mount Ommaney supported the work of work camps as a means of reintegration and supported the abolition of reintegration and resettlement leave.

The member for Capalaba spoke about the restrictions being placed on prisoner trust accounts and also supported the prisoner artwork provisions, and again the need to ensure that prisoners do not profit from their artwork while in jail.

The member for Gaven talked about the level of drug detection in jails. Again, as with other members, he failed to acknowledge that under the previous National Party government the rate of positive drug tests was 17.9 per cent for prisoners. Under Labor in the year up to 31 March this year, the rate was 3.14 per cent—so a world of difference.

Finally, the member for Currumbin raised issues about the interim access approvals, which I have already discussed and addressed. She also argued that Queensland Corrective Services should have a preferred list of contractors to work in prisons. This was in relation to the emergency access arrangement for contractors. For the member's benefit, Queensland Corrective Services already has such an arrangement in place. In fact, QCS usually sources its contractors through QBuild, which has compiled a list of preferred contractors who have all been through the security checks.

With regard to prison security, we cannot forget that the last escapes in Queensland from secure custody were under the Borbidge led National Party government. Two lots of five prisoners escaped from high-security prisons within a matter of weeks. Who can forget how Brendon Abbott, with the support of a young protege providing a salvo of shots from outside the jail, Australia's most notorious bank robber and four dangerous prisoners calmly made their way to the perimeter fence, cut their way through it and fled in a getaway vehicle.

That is the record of the National Party government when it comes to prison security in Queensland. The last prisoner escaping from secure custody was under a Borbidge led National Party government.

Mr Horan interjected.

Mr DEPUTY SPEAKER (Mr Pitt): Order!

Mr ROBERTS: Those escapees then led authorities on a costly nationwide chase for weeks before Abbott was caught in Darwin and sent back in prison in Queensland where he remains in maximum security.

Mr Horan interjected.

Mr DEPUTY SPEAKER: Order! The member for Toowoomba South will address his comments through the chair.

Mr ROBERTS: In conclusion, I again place on record my thanks to all members for their contributions.

Mr Horan interjected.

Mr DEPUTY SPEAKER: Order! The member for Toowoomba South!

Mr ROBERTS: I particularly acknowledge again and thank the former minister, Judy Spence, her staff and the departmental officers for all the work they did in preparing and compiling this bill. With those few words, I commend the bill to the House.