



Speech by
Ros Bates

MEMBER FOR MUDGEERABA

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CORRECTIVE SERVICES AND OTHER LEGISLATION AMENDMENT BILL

Ms BATES (Mudgeeraba—LNP) (4.49 pm): Today I rise to make a contribution to the Corrective Services and Other Legislation Amendment Bill 2009. The objectives of this bill are to amend the Corrective Services Act 2006 for particular purposes, the Penalties and Sentences Act 1992 for related purposes and the Police Powers and Responsibilities Act 2000 for a particular purpose and to repeal the Sporting Bodies' Property Holding Act 1975.

With regard to prisoner leave, the current act provides for certain prisoners to access a range of different kinds of leave of absence, such as resettlement leave and reintegration leave, the purpose of which is to allow a prisoner to remain outside a corrective services facility for a particular purpose and to allow offenders to spend time at an approved residence to assist with their reintegration. In recent years emphasis has been placed on the delivery of structured transitional programs and prerelease planning through the integrated transitional support model and now covered in the transitional programs offered by Queensland Corrective Services.

This bill amends the act to remove both forms of leave of absence. Prisoners with programs of resettlement leave that have already been approved will be permitted to complete those programs. The power to issue individual resettlement leaves of absence will be preserved in relation to those programs. No new programs will be able to be approved. Where an order granting a reintegration leave of absence has been issued, that order continues to have effect. No new orders will be issued.

It is important that these amendments to the act continue to preserve the need for resettlement for lifers. Life prisoners are unable to access social interaction—that is, community work—until they are paroled. They are unable to have a leave of absence to participate in community work. Some of those prisoners have been in jail for years and have never even seen an ATM. It is important that they are able to socialise with family and build bridges with society. This type of program allows the parole board to see how prisoners react in the community and enable the parole board to determine their divisions. Institutionalised prisoners need to be resettled into the community, and this means time out to assimilate rather than a transition program that is more like an information seminar.

With regard to prisoner artwork, section 28 of the act created an offence of carrying on a business while in prison. The aim of this provision was to ensure prisoners ceased to engage in business activities. While in custody many prisoners create artwork, and Queensland Corrective Services supports participation in this activity. Prisoners who create large amounts of artwork are not able to store all of it within the corrective services facility and are encouraged to give this artwork to family to keep while they are in prison. In addition to this, a prisoner artwork program allows for prisoners to donate their artwork for sale by the government, with proceeds shared between approved charities and prisoner amenities funds. There are concerns that prisoners may be able to arrange for the private sale of their artwork by transferring it to friends or family in the community.

The purpose of this bill is to ensure, basically, that a prisoner is not running a business in jail for personal gain by being able to sell artwork. Currently prisoners can display their artwork on the

department's website and the profits from any sale of artwork goes to a charity allocated by the department. It is still possible to give artwork to families as presents. However, if there are too many going out it could be seen that the family could be selling the art and the prisoner profits by default. This amendment closes the loophole whereby families can sell art for their incarcerated family member for profit. In other states such as New South Wales, the victims compensation fund is the direct beneficiary of funds raised from prisoner artwork. This type of fund should be considered here in Queensland. There is no doubt that the art program is therapeutic for prisoners; however, this amendment will ensure they do not profit in prison whilst they are doing time for a criminal offence.

With regard to visitors to a corrective services facility, the act sets out the process by which a person may be approved to visit a corrective services facility and the conditions under which they can visit. The part of the act dealing with visitors is being amended to provide for: interim access approval where there is a need to allow access before a final decision can be made; urgent access approval for the purposes of maintenance; an exemption from submitting an application form and for assessment under section 156(2) for law enforcement, child safety and emergency services officers—legal practitioners can apply for access without the need for assessing their application against the factors in section 156(2); a power to cancel access approval and set a period of up to 12 months before another application will be considered; and the use of biometric scanning as a form of identification for all adult visitors to participate in scanning at each visit.

The majority of visitors are cleared before arrival and many are already security cleared from other professions, such as police, ambulance officers and firefighters. Approval for contractors is generally given before their arrival, whilst there would be the odd instance in an emergency—for example, a burst water main—where visitors would not be cleared before arrival. This area still needs to be carefully scrutinised before inappropriate visitors are admitted to a facility.

With regard to the time frame for parole board decision making, section 193(5) of the act currently provides that a parole board must decide an application for parole within 120 days. Where a decision is not made before the expiry of 120 days an application is deemed to be refused. The time frame for making parole board decisions will be increased from 120 days to 180 days. There will no longer be a deemed refusal at this point. Where the parole board requires information to make a decision, it will be able to defer making a decision until 210 days after the application was received. Prisoners will now be permitted to lodge their parole application 180 days before their parole eligibility date to match the increased time available to parole boards for deciding applications.

The current system of parole is made up of two concurrent systems. A court ordered parole ensures that on sentencing the prisoner knows when his parole date is. Every other prisoner has to apply for parole. A parole date is eligibility for a date to be considered for parole and is not an automatic day of parole and release. If a prisoner is not eligible, he or she cannot apply for a parole date.

The Numinbah Correctional Centre is in the electorate of Mudgeeraba. I am a member of the Numinbah Community Advisory Committee and have visited the centre twice in the past three months. The Numinbah Correctional Centre is a low-security centre located 100 kilometres south of Brisbane in the Gold Coast hinterland. Numinbah provides accommodation for up to 104 male prisoners and 25 female prisoners. The centre encourages a self-directed rehabilitation model to prepare prisoners for release to the community on community based supervision. Currently residing at Numinbah are four female lifers and two male lifers who are either in the process of resettlement or coming up for eligibility for parole.

I support this bill. However, the government needs to ensure that lifers are resettled into the community and not placed in a transition program that is nothing more than an information seminar that will not assist long-term institutionalised offenders to assimilate back into society. For movie buffs, the *Shawshank Redemption* springs to mind. I commend the bill to the House with reservations on the visitor admissions to correctional facilities.