




Speech By  
**Hon. Mark Ryan**

**MEMBER FOR MORAYFIELD**

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Record of Proceedings, 27 February 2019

### **HUMAN RIGHTS BILL**

 **Hon. MT RYAN** (Morayfield—ALP) (Minister for Police and Minister for Corrective Services) (2.05 pm): I rise to contribute to the debate on the Human Rights Bill and of course speak in support of this groundbreaking legislation. It is a very proud day for the many stakeholders who have fought so long for this legislation. I want to acknowledge the Attorney-General and key members of parliament who have advocated so strongly for this matter, including the member for Toohey, as well as keen community and legal stakeholders. I want to particularly acknowledge Aimee McVeigh, who has been a constant and longstanding advocate for this legislation. She visited me many times over many years to talk about the importance of this piece of legislation for Queenslanders.

As the Minister for Police and Minister for Corrective Services, I have taken a very keen interest in the progress of the Human Rights Bill. It is only fitting in this day and age that such a bill should be enshrined in law by the Queensland parliament. Firstly, I want to talk about the interaction of this bill with Queensland Corrective Services because this bill is not without some complexity. We have had to resolve the twin objectives of ensuring the intent of the Human Rights Bill is enshrined against the reality that there are possible conflicts because of the inherent nature of our correctional system. Queensland Corrective Services is committed to providing safe, modern and responsive correctional services. This includes providing the highest level of service delivery and treating prisoners and offenders with dignity and respect.

The introduction of the Human Rights Bill 2018 formalises Queensland Corrective Services' key objective of humanely managing prisoners and offenders. This is an internationally recognised right that reflects the vulnerability of persons deprived of their liberty. The correctional system is dynamic, however. Decisions that are made about the management of prisoners and offenders are multifaceted. Factors such as community safety, the safety and welfare of each individual prisoner, staff safety and the safe and secure operation of the correctional facility all need to be taken into account.

The consequential amendments to the Corrective Services Act contained in this bill were drafted to ensure that decisions about the placement of prisoners and detainees under the current operating model in correctional centres remained available to Queensland Corrective Services. During the drafting process, two stakeholder meetings were held. Revised consequential amendments respond to how correctional centres operate in Queensland, and the bill before the parliament today limits those consequential amendments to decisions related to humane treatment when deprived of liberty made by the chief executive or a Corrective Services officer about the segregation of convicted and non-convicted prisoners and the management of prisoners where it is not practicable for a prisoner to be provided with his or her own room. The relevant factors the decision-maker may also take into account when deciding whether a human right should be limited in these circumstances include the security and good management of Corrective Services facilities and the safe custody and welfare of all prisoners.

The consequential amendments contained in the Human Rights Bill mitigate the uncertainty associated with clause 13 of the bill by allowing Queensland Corrective Services decision-makers to consider human rights in conjunction with these relevant factors in certain decision-making. They do

not impact on Queensland Corrective Services' obligations under the Human Rights Bill, nor do they respect, limit or prevent a person's right to make complaints to the Human Rights Commissioner or seek a legal remedy where decisions are not compatible with human rights or fail to give proper consideration to human rights.

In respect to the Queensland Police Service, I can confirm that implementation activities are already underway with respect to the Human Rights Act and how it will support the good work that the Queensland Police Service does. The Queensland Police Service is already preparing an implementation plan and developing in-house training modules for our officers which includes staff awareness of their obligations under the Human Rights Act and an audit and review of the existing legislation relevant to the Queensland Police Service. There is also work being done around developing an internal complaints mechanism to support the Human Rights Commission's role in resolving those complaints. Both Queensland Corrective Services and the Queensland Police Service have demonstrated their commitment to complying absolutely with the requirements of this landmark legislation, and I commend them for that.

As many people who have contributed to this debate have already said, this is an historic day for Queensland. It will make a big impact on the lives of vulnerable Queenslanders and it is a testament to the hard work of members of this parliament as well as those key community and legal stakeholders that we are creating history today. I acknowledge the great work of our government, including the Attorney-General, in ensuring that this legislation has been brought to the House, and I commend the bill to the House.