



Speech By  
**Hon. Mark Ryan**

**MEMBER FOR MORAYFIELD**

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Record of Proceedings, 20 February 2020

### **COMMUNITY BASED SENTENCES (INTERSTATE TRANSFER) BILL**

 **Hon. MT RYAN** (Morayfield—ALP) (Minister for Police and Minister for Corrective Services) (4.47 pm), in reply: This bill formalises Queensland's longstanding participation in the agreed national legislative scheme to facilitate the interstate transfer of community based offenders across Australia. Without this legislation in place, no legislative authority exists for community based sentences to be transferred formally in or out of Queensland. Without this legislation, there is significant risk for Queensland. The best interests of community safety are served by having a formal scheme in place. This bill ensures the ability for contraventions of a community based order to be swiftly dealt with, ensuring community safety. Under informal arrangements, as exists now, this is not the case, with states forced to pursue slow and costly enforcement and extradition action following an offender's contravention of their order. Without this bill, Queensland will remain exposed to these more costly arrangements.

I am advised by Queensland Corrective Services that if Queensland does not formalise these arrangements, other jurisdictions may start to refuse transfers from Queensland under the informal arrangements. At the end of last year, the number of interstate offenders supervised by Queensland Corrective Services was nearly half the number of Queensland offenders supervised interstate. I assure the House that Queensland Corrective Services has advised that this conservative approach to deciding who is allowed to be supervised in Queensland will not change with the passage of this bill. Importantly, I assure the House that under this bill, Queensland maintains the right to decline a transfer request even if all transfer criteria is met. These assurances should allay the concerns raised by members.

I remind members that this bill does not include the transfer of prisoners. This occurs under another act, the Prisoners (Interstate Transfer) Act, which has been in place in Queensland since 1982, almost 40 years. As it has been raised, I will use it as a predictor and comparator of numbers.

Last year more prisoners wanted to be transferred from Queensland to interstate facilities. This was more than three times the number of requests from prisoners wanting to transfer to Queensland. Queensland Corrective Services has advised that they do not expect this to change as a result of the passing of the bill.

The member for Coomera asked a question about where an offender who breaches their community service order will be incarcerated? The answer is: in the jurisdiction where the breach occurs, as is appropriate. If we were to adopt the terminology of those opposite, as a net exporter of offenders this would benefit Queensland, but that benefit is only achieved when we formalise these arrangements through the passing of this bill.

To put it beyond doubt for those opposite, I can assure the House that if this bill is not passed then Queensland Corrective Services will be exposed to more costly arrangements, Queensland will not have a formal legislative right to refuse a transfer and other states may start to refuse transfers from Queensland, thereby stopping the so-called export of prisoners from Queensland. This bill is very important for formalising these arrangements—informal arrangements that already exist. Queensland

Corrective Services has already given a number of assurances. I join Queensland Corrective Services in giving those assurances that this bill will benefit Queensland and community safety in Queensland. I commend the bill to the House.