




Speech By
Hon. Mark Ryan

MEMBER FOR MORAYFIELD

Record of Proceedings, 17 March 2020

CORRECTIVE SERVICES AND OTHER LEGISLATION AMENDMENT BILL

Introduction

 **Hon. MT RYAN** (Morayfield—ALP) (Minister for Police and Minister for Corrective Services) (11.37 am): I present a bill for an act to amend the Corrective Services Act 2006, the Criminal Code, the Criminal Law Amendment Act 1945, the Penalties and Sentences Act 1992, the Racing Integrity Act 2016, the Racing Integrity Regulation 2016, the Weapons Act 1990, the Weapons Categories Regulation 1997 and the Weapons Regulation 2016 for particular purposes. I table the bill, the explanatory notes and a statement of compatibility with human rights. I nominate the Legal Affairs and Community Safety Committee to consider the bill.

Tabled paper: Corrective Services and Other Legislation Amendment Bill 2020 [430](#).

Tabled paper: Corrective Services and Other Legislation Amendment Bill 2020, explanatory notes [431](#).

Tabled paper: Corrective Services and Other Legislation Amendment Bill 2020, statement of compatibility with human rights [432](#).

For our government, the safety and security of the community is an utmost priority. This bill supports the government's key objective to keep communities safe in Our Future State: Advancing Queensland's Priorities. The bill supports a resolution of the Ministerial Council for Police and Emergency Management to establish a permanent national firearms amnesty and, following extensive stakeholder engagement, this bill implements one of the Queensland Police Service's proposals regarding the possession of replicas and gel blasters. The remaining aspects, which are the regulations, will align with the consultation that was undertaken with stakeholders. To be clear, the regulations will be as discussed with stakeholders and there will be no ban on replicas and gel blasters under these changes.

The bill responds to the immediate risks identified in the Crime and Corruption Commission's Taskforce Flaxton—an examination of corruption risks and corruption in Queensland's prisons—supports the government's implementation of the recommendations from the Queensland Parole System Review and improves operational efficiencies for Queensland Corrective Services and the Parole Board Queensland.

In respect of the permanent firearms amnesty, this bill brings into effect a permanent ongoing firearms amnesty for Queensland. This gives support to a national agreement that will see a nationwide firearms amnesty introduced before the end of this year. A permanent firearms amnesty is a powerful tool in tackling gun related crime in this state and around Australia. The amnesty aims to reduce the number of unregistered firearms in the community by removing the fear of prosecution if a person is to hand one in.

Firearms amnesties are a proven way to reduce the number of unregistered firearms in the community and thereby enhance community safety. The previous firearms amnesty in Queensland successfully used the services of firearms dealers as a collection point. The permanent amnesty will build on this success and give the public an alternative to attending a police station, by incorporating approved firearms dealers in the scheme.

I turn to the Corrective Services Act amendments. The Corrective Services Act 2006 provides the authority to humanely contain, supervise and rehabilitate the almost 30,000 prisoners and offenders right across Queensland. These operations are complex and are delivered across 11 high-security and six low-security correctional centres, 13 work camps, 36 community corrections district offices and more than 150 reporting centres across Queensland. To ensure the delivery of corrective services is strategic, innovative and evidence based, the Corrective Services Act must also be contemporary and respond to emerging needs. Since the middle of 2016, Queensland's correctional system has been under review and reform.

In 2018, the Crime and Corruption Commission's Taskforce Flaxton made 33 recommendations to reform Queensland's anti-corruption framework for correctional centres, improve oversight mechanisms and safety for staff and prisoners, increase accountability and raise performance standards. The government supported all 33 recommendations of Taskforce Flaxton and in response committed to delivering stage 2 of the Southern Queensland Correctional Precinct and the transition of Arthur Gorrie and Southern Queensland correctional centres to public operation, and committed a further \$25.2 million to implement other Taskforce Flaxton recommendations. This bill supports implementation of key Taskforce Flaxton recommendations. The swift implementation of legislative amendments to support key Taskforce Flaxton recommendations highlights this government's commitment to ensuring all government departments act with the highest standards of integrity, ethics, accountability and transparency.

Importantly, to reflect community expectations and enhance community and correctional environment safety, this bill includes three new offences in the Corrective Services Act. There is an offence prohibiting a staff member from having an intimate relationship with an offender, with a maximum penalty of 100 penalty units or three years in prison. There is an offence prohibiting a parolee from removing or tampering with an electronic monitoring device when it is a condition of their parole to wear one, with a maximum penalty of 30 penalty units or three months in prison—on top of any other sanction they may receive as a consequence of breaching their parole. There is also an offence prohibiting a person from unlawfully interfering with a Queensland Corrective Services staff alcohol or drug test sample, with a maximum penalty of 100 penalty units.

In respect of Criminal Code amendments, this bill also includes an amendment to section 340 of the Criminal Code to clarify the maximum penalty for a prisoner who seriously assaults one of our hardworking Corrective Services officers. This will ensure that in circumstances where a prisoner bites, spits, throws bodily fluid or faeces, causes bodily harm to the officer or if the prisoner is or pretends to be armed with a dangerous or offensive weapon or instrument, the maximum penalty of 14 years can be applied. In all other circumstances the maximum penalty of seven years imprisonment remains. In this respect, I particularly acknowledge the advocacy of the Together union, their members and all staff across correctional centres as well as members of the House, particularly the member for Maryborough, in respect of this particular amendment.

Working in the correctional system carries inherent risks and challenges that are unique within the public sector. It is imperative that a prisoner who assaults a working Corrective Services officer is held accountable and is liable to receive the same penalty as an offender who does so to any other Public Service officer. This government is committed to actively addressing and preventing the causes of violence in corrective service facilities and in the community—as supported by this amendment. I take this opportunity to recognise and thank the staff who work for Queensland Corrective Services and who work on the front line of community safety. This amendment will provide a strong deterrent to this type of behaviour occurring in a closed environment and reassurance to Corrective Services officers of the importance of their health and safety.

The Queensland parole system review in November 2016, otherwise known as the Sofronoff review, made 91 recommendations, including amendments relating to the Corrective Services Act. This review resulted in the government's \$265 million commitment to implement the most comprehensive overhaul of Queensland's parole system. To date, 46 recommendations have been completed and the remaining supported recommendations are progressing as planned.

This bill makes amendments to support the government's implementation of the Queensland parole system review, including: recommendation 85 to allow persons registered on the victims register to apply to the Parole Board for an extension to provide a submission; recommendations 33 and 59 to support the establishment and maintenance of relationships between prisoners and their children; and recommendation 81 to provide that a person on the victims register will be notified of a prisoner's discharge or release as soon as practicable after Queensland Corrective Services is made aware of that information, thereby supporting earlier notifications to those listed on the victims register. This bill also includes an amendment to support the government's response to recommendation 58—that is, to provide that prisoners convicted of a sexual offence, murder or sentenced to life imprisonment are not eligible for placement in a low-security facility.

The establishment of the Parole Board Queensland was an important recommendation of the Queensland parole system review. To support the operation of the Parole Board, further amendments are proposed in this bill. The new, independent Parole Board Queensland has been in operation for two years. It is timely that amendments be progressed to increase the efficiency and effectiveness of its functions and the operation of legislation like the no-body no-parole laws.

A number of amendments have been requested by the board, and these are addressed in the bill. The board's requested amendments are set out in the bill and the explanatory notes. They support the effective and efficient operation of the Parole Board. This bill also makes a number of other amendments to support the efficient and effective operation of Queensland Corrective Services generally, including the repeal of some outdated provisions that are no longer applicable.

The amendments proposed in this bill will stop crime, ensure community safety and provide that Queensland's correctional system is responsive and flexible and prioritises the safety of staff, prisoners, offenders and the community. I commend the bill to the House.

First Reading

Hon. MT RYAN (Morayfield—ALP) (Minister for Police and Minister for Corrective Services) (11.47 am): I move—

That the bill be now read a first time.

Question put—That the bill be now read a first time.

Motion agreed to.

Bill read a first time.

Referral to Legal Affairs and Community Safety Committee

Mr DEPUTY SPEAKER (Mr Stewart): Order! In accordance with standing order 131, the bill is now referred to the Legal Affairs and Community Safety Committee.