




Speech By
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MEMBER FOR MIRANI

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CORRECTIVE SERVICES AND OTHER LEGISLATION AMENDMENT BILL

 **Mr ANDREW** (Mirani—PHON) (6.40 pm): I am pleased to speak on the Corrective Services and Other Legislation Amendment Bill 2020. The bill has been introduced in response to the Crime and Corruption Commission's Taskforce Flaxton review that looked into corruption risks in Queensland prisons and made recommendations for better ways to prevent, detect and deter corrupt conduct in prisons. I thank the secretariat and the committee for their work on this bill.

Provisions in the bill will require corrective services staff to submit to alcohol and drug testing, and grant powers to the chief executive to carry out searches of corrective services officers suspected of an offence. The bill will also broaden the power of the Ethical Standards Unit to allow for better prevention of and earlier intervention in corrupt conduct across a wide range of areas, including complaints management, investigation, witness support, COVID operations and risk management.

Section 295 of the act provides for cases where there is an incident, which is defined as a death, serious injury, escape, riot or other event involving prisoners. The bill's provisions state that two inspectors will be appointed. I believe that that provision needs to be amended to stipulate that at least one of those inspectors should be someone who is not employed by the department. Such a provision would ensure the investigation is not only independent but also seen to be independent. Independence in decision-making and investigations should be paramount when it comes to the suspected corrupt conduct of public officials.

I have some minor reservations around the provision that implements blanket restrictions for particular categories of prisoners from access to accommodation in low-security facilities. Research has constantly shown that recidivism rates are lower for prisoners who have been rewarded for good behaviour by participation in forms of gradual release and preparation for their progressive re-entry into the community. Justice Walter Sofronoff QC commented on this policy in the Queensland Parole System Review report. Referring to when a prisoner is released back into the general population, he stated—

It is vital that there be adequate preparation for such release. Being accommodated in a low security facility, with the potential for resettlement leave, is in my opinion an essential part of ensuring the community safety.

The Queensland Productivity Commission's recent inquiry into imprisonment and recidivism found that Queensland has the lowest proportion of prisoners held in low-security settings of any state in the country. On average, 92 per cent are detained in high-security settings. The last time I was privy to such information and went to the Capricornia Correctional Centre, prisons were at 136 per cent occupancy. Prisoners were crammed in. They were topping and tailing in cells. That means the overwhelming majority of prisoners spend their time living in an artificial and highly regulated environment. They are institutionalised and completely unprepared for the challenges and problems encountered outside the walls of high-security prisons.

The privileges associated with low-security placement can also be one of the best incentives for prisoners to demonstrate positive and responsible behaviour while in prison. Removing that pathway altogether may prove to be counterproductive in the long term and will do little to help corrective services officers to manage prisoner behaviour, which is difficult enough at the best of times.

Under the bill, the new definition of 'restricted items' is fairly broad. It will reclassify any replica weapons, deactivated firearms or museum piece, as well as any pieces found in RSLs and gel blasters as restricted items. The inclusion of replicas of category A, B, C, D and H and deactivated firearms as restricted items is not supported by any community incidents. Therefore, I am not sure that their reclassification under the bill is strictly necessary. However, I am aware of numerous issues reported around the use of gel blasters, so some restrictions placed on their use is definitely needed. I believe that should be in the form of fines. We have been fining pubs and clubs under the COVID-19 measures. It has been easy enough to throw that out.

Ms Leahy interjected.

Mr ANDREW: I take that interjection. In this situation we could have used fines. The genuine reason for having a gel blaster is basically about being a kid. Anyone else who does the wrong thing could be taken into the justice system and fined for perpetrating an act that causes civil unrest. However, I acknowledge that gel blasters are very popular, that there are hundreds of thousands in this state and that it would have been difficult to take them away.

The best thing about gel blasters is that they take young kids away from their screens. People are on their screens all the time and gel blasters give kids an opportunity not to be. Not all kids want them, but I say good luck to the ones who do have them. They should be able to go out and play with them, as long as it is not affecting anyone. That is how the situation should be. Therefore, I hope that the new regulations around their use are made flexible enough to allow people to continue to participate in what I am told is usually a very enjoyable and relatively harmless outdoor activity.

I am broadly supportive of the objectives and provisions in the bill. In particular, I welcome clause 63 of the bill, which establishes a permanent amnesty for the surrender of firearms to police officers or licensed firearms dealers. I am a licensed firearms dealer. During amnesties, people have dropped firearms at my door at night because they were frightened of being incarcerated for a mandatory one year for possessing an illegal weapon. It is a great thing to have an open amnesty.

Say someone pulls down their shed and finds Uncle Sam's weapon behind a post or somehow hidden in the structure. Under this provision, they can hand that weapon in. Not everyone has a firearms licence. This is a great thing because people are very worried about how they would hand in a weapon to a dealer or at a police station. It is sad that that cannot be done anonymously, as some may choose not to drop in their weapons. They may throw them away or discard them somehow so that their faces are not seen and their names and addresses are not recorded. It is sad because that is how people feel. They do not want to be labelled and so on. They do not want to be looked at by the law simply because they have found a weapon that they want to hand in. They come to me and say, 'Would we give it in? Probably not.' We need to get those weapons out of the system.

I do not think anyone is trying to run weapons around the place. Earlier someone spoke of laundering weapons. I do not see that at all, especially not in country areas. I am not sure about the cities, because I do not live there. The well documented success of the last two amnesties in Queensland is testimony to how important it is that people be allowed to hand in their firearms.

In conclusion, I pay tribute to the work of custodial officers at the Capricornia Correctional Centre. They do a great job. In coming years the government is going to increase the number of cells by 348. When I spoke to the minister during the estimates process last year, I was surprised to learn that it costs \$640,000 for each cell. Although a cell is a very small room, obviously that is needed. Again, I acknowledge the committee for the work we have done. I hope we do not take things too far with kids' toys.