




Speech By  
**Hon. Craig Crawford**

**MEMBER FOR BARRON RIVER**

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Record of Proceedings, 22 June 2022

### **INSPECTOR OF DETENTION SERVICES BILL**

 **Hon. CD CRAWFORD** (Barron River—ALP) (Minister for Seniors and Disability Services and Minister for Aboriginal and Torres Strait Islander Partnerships) (4.21 pm): I rise to speak in support of the Inspector of Detention Services Bill 2021. I commend the Legal Affairs and Safety Committee for its report on the bill. I welcome the submissions that came particularly from my stakeholders.

Aboriginal and Torres Strait Islander people and people with disability are both over-represented in the criminal justice and juvenile justice systems. When faced with detention, they often are in a more vulnerable position than non-Indigenous detainees and those living without disability. This is because Aboriginal and Torres Strait Islander people face challenges arising out of intergenerational trauma. For those with disability or cognitive impairments, their ability to handle challenges is impacted. That is why the Inspector of Detention Services Bill and the safeguards it aims to legislate are so important.

In 2021 we acknowledged the 30-year anniversary of the Royal Commission into Aboriginal Deaths in Custody, which investigated 99 Aboriginal deaths in custody across both police and prison settings, of which 26 were here in Queensland. Unfortunately, not a lot has changed. We have seen nearly 500 Aboriginal or Torres Strait Islander deaths in custody nationally since 1991 and incarceration rates continue to rise. The royal commission made 339 recommendations concerning procedures for persons in custody that were both preventive and protective. This bill promotes improved detention services and places of detention that are focused on preventing detainees from being subjected to harm or cruel, inhumane or degrading treatment.

When it comes to safeguards for Aboriginal and Torres Strait Islander people in detention, the bill proposes that the inspector must have regard to the cultural background of the detainee when carrying out inspections or reviews. If a review relates to an Aboriginal or Torres Strait Islander person, it is mandatory that the inspector uses a representative who identifies as an Aboriginal person or Torres Strait Islander person to undertake that function. The inspector is also enabled to consult with or engage culturally competent professionals who can help the inspector perform its functions. This means that, in the case of providing culturally considered support for First Nations people to engage in a visit, an inspector can seek the assistance of professionals such as First Nations language interpreters or community liaison officers who understand the complexities of the detainee's background from a culturally appropriate perspective. These specific provisions speak to a bigger picture.

The Palaszczuk government has committed to meeting its justice targets under the national Closing the Gap agreement by 2031. This includes by reducing the rate of Aboriginal and Torres Strait Islander adults held in incarceration by at least 15 per cent and youth aged 10 to 17 years by 30 per cent. Implementing culturally appropriate supports in our justice system and working to ensure detainees are treated with dignity and humanity will promote stronger relationships with First Nations people.

When dealing with detainees with disability during inspections, the inspector can use specialised equipment and/or support persons when communicating with detainees with disability. It is intended that the inspector, when carrying out a review or inspection relating to a detainee with disability, will assess the need for support persons or communication aids on a case-by-case basis.

I am aware that submissions during the committee's examination noted the importance of the Forensic Disability Service and authorised mental health services being captured within any approach to implement the OPCAT in Queensland. The Queensland government is considering the best approach in terms of OPCAT implementation in Queensland and is considering options for these facilities. However, the Forensic Disability Service is currently subject to considerable oversight, including from the Queensland Ombudsman, the Public Guardian and the Director of Forensic Disability. I commend the bill to the House.