




Speech By  
**Lance McCallum**

**MEMBER FOR BUNDAMBA**

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Record of Proceedings, 22 June 2022

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

 **Mr McCALLUM** (Bundamba—ALP) (4.39 pm): I rise in support of the Inspector of Detention Services Bill, part of our commitment to establish an independent inspectorate to promote and uphold the humane treatment and conditions of people detained in prisons, community correction centres, work camps, youth detention centres and police watch houses.

This bill establishes the Inspector of Detention Services in Queensland, with the position to be held by the Queensland Ombudsman, and support for the inspector's functions to be provided by staff from the office of the Ombudsman. It will help advance the improvement of detention services and places of detention, including the conditions of detainees' detention, and preventing detainees being subjected to harm, including torture and cruel, inhuman or degrading treatment. This will be achieved by providing a framework for the review of detention services and inspection of places of detention and independent and transparent reporting.

The bill will also address recommendations stemming from a number of reviews into the Queensland criminal justice system since 2016 which have recommended the establishment of an independent inspector over adult correctional services, youth detention centres and police watch houses. We committed to introducing this role in response to recommendations from a range of independent reviews into Queensland's criminal justice system including the Sofronoff review, the Taskforce Flaxton report and the Independent Review of Youth Detention. While many of the places of detention have existing accountability and oversight frameworks, there is no one body responsible for the independent oversight of these facilities' operations through a system of regular inspections.

International and Australian law recognise that all people in detention or imprisonment should be treated in a humane way. Due to the closed nature of custodial institutions and the power imbalance inherent in the custodial environment, the potential for abuse and ill-treatment is unfortunately always present. It is generally recognised that observance of human rights is the most effective and safe way to manage custodial environments. Independent inspectors seek to mitigate the potential for ill-treatment and abuse through the review and inspection of detention environments. They also help ensure transparency and accountability in the way that places of detention, and the people detained within them, are managed by providing the community with insight into detention environments.

In Queensland, there are multiple layers of accountability relating to the operation of places of detention provided by Queensland Corrective Services, the Department of Children, Youth Justice and Multicultural Affairs and the Queensland Police Service. However, as I mentioned before, there is currently no single body with the primary function of independent oversight of these places of detention through a system of regular inspections that seek to scrutinise the operations of the environment with a view to promoting and upholding the humane treatment and conditions of the people detained.

The inspectorate model established by this bill is based on comparable, independent inspectorate models—in particular, that which is operating currently in Western Australia. It is also influenced by the current New South Wales, Tasmanian and Australian Capital Territory models.

The inspector will have a broad power to do all things necessary or convenient for, or in connection with, the performance of the inspector's functions and to fulfil its preventive, proactive and independent mandate. The inspector will also have a preventive, proactive and independent mandate to carry out reviews of detention services provided at places of detention and inspections of places of detention with a view to promoting the improvement of detention services and places of detention by upholding the humane treatment, management and conditions of people contained.

The inspector's focus will be on the prevention of harm and improvement of the custodial environment in Queensland through examining the places of detention within its scope, the detention services provided to detainees and the lived experiences of people who are deprived of their liberty. It is intended the inspector will consider the operation and management of facilities, as well as the treatment and conditions of people detained in accordance with national and international materials that establish best practice.

Places of detention within the scope of the inspector are defined in the bill as community corrections centres, prisons, work camps, watch houses and youth detention centres. The bill defines detention services as the operation, management, direction, control or security of a place of detention, as well as the security, management, control, safety, care or wellbeing—including health care and education—of a detainee at a place of detention.

The inspector's oversight also extends to the transportation of detainees, while in the custody of a relevant custodial entity, from any place of detention or to a place of detention other than a watch house or to a watch house from a court in which the person has appeared or another watch house or place of detention. The bill also enables the inspector to provide advice or to make recommendations about a detention service or place of detention that the inspector considers appropriate.

While I am on my feet, I would like to make some remarks about when the LNP were last in government and our hardworking corrective services staff found themselves subjected to the vicious cutting, sacking and selling agenda of that government. There were cuts at our correctional centres like in Maryborough—

**Honourable members** interjected.

**Mr McCALLUM:** I want to acknowledge the presence of the member for Maryborough in the House because he will remember that very well as the correctional centre is one of the town's largest employers.

**Mr DEPUTY SPEAKER** (Mr Krause): Order! Members, that was completely unacceptable. Member for Bundamba, you have the call but I urge you to please remain relevant to the bill.

**Mr McCALLUM:** The member for Maryborough will remember that the LNP sacked 15 staff from the Maryborough prison. It still does not make any sense why those jobs would be cut from such an important regional employer. The Darling Downs Correctional Centre was closed down under that regime. The 2012 ministerial media release from the responsible minister at the time states—

More than 40 full-time staff employed at the centre and its associated dairy would be relocated or offered redundancy.

"We have to rein-in the spending and waste which was out of control under Labor,"

"The cost to upgrade this facility—estimated to be \$20 million—is more than the people of Queensland can currently afford."

It continues—

Corrective Services officials would consult with the centre's staff to try to find employment opportunities elsewhere within the prison system.

"I regret the job losses but in the current difficult financial situation they are unavoidable,"

During the hearings conducted by the committee into this bill, Mr Michael Thomas from the Together union appeared and gave evidence. I will quote from a 2012 article in relation to the closing down of the Darling Downs correctional centre in which Mr Thomas said that they were contacted by a delegate about the claim that the prison was going to close down but were 'yet to have any confirmation or denial from the department'. Mr Thomas said he received a call from the department's office attempting to cancel the prearranged meeting with the union because there were 'no agenda items' that needed to be discussed, and then they heard about the prison closing down.

In conclusion, this bill delivers on the government's commitment to establish an independent inspectorate over adult correctional facilities, youth detention centres and police watch houses. The inspector will report transparently and independently on the conditions and places of detention and have a preventive and proactive mandate with a focus on improving places of detention. It is another demonstration of our commitment to improving human rights, and I commend the bill to the House.