




Speech By
Dale Last

MEMBER FOR BURDEKIN

Record of Proceedings, 23 May 2023

CORRECTIVE SERVICES (EMERGING TECHNOLOGIES AND SECURITY) AND OTHER LEGISLATION AMENDMENT BILL

 **Mr LAST** (Burdekin—LNP) (12.30 pm): I rise to contribute to the Corrective Services (Emerging Technologies and Security) and Other Legislation Amendment Bill 2022. I note that this bill proposes to amend three acts and a regulation in order to: (1) modernise emergency response powers relating to corrective services facilities or youth detention centres; (2) criminalise the use of drones over corrective services facilities and youth detention centres and to criminalise entry onto or into the restricted areas of corrective services facilities; (3) provide authority to use X-ray body scanners, closed-circuit television, body worn cameras and other technologies to maintain safety and monitor threats within the closed correctional environment; (4) enhance information-sharing powers to promote prisoner health and wellbeing, and support frontline service delivery via interagency collaboration; (5) update the prisoner security classification framework; and (6) clarify sentence calculation issues to enable the effective operation of the visitor scheme and support the delivery of prisoner health services.

While the opposition will not be opposing this bill, there are several issues that I would ask the minister to clarify during consideration in detail. It is all well and good to speak about addressing issues, especially when it comes to community and staff safety, but it is action that is needed and, more importantly, it is the right actions that must be taken when they are needed, and without delay. Yet again we have a bill presented to this House that illustrates without question that this government has failed to act in a timely manner when it comes to addressing some of these issues.

In relation to youth crime, we saw rallies on the streets of towns and cities across this state and we heard victims calling for assistance. In relation to health, we saw ambulance ramping escalating and towns and cities without vital medical services. In relation to our correctional centres, both adult and juvenile, we saw confronting images and heard of staff being injured—some of them with injuries that they will carry for life. Despite all of that, this government failed in a timely manner on each of those issues and, in the case of this bill, it is the staff at those corrective services facilities and youth detention centres who bear the cost of that inaction. Whilst the need to have the necessary powers in place to ensure the safety of prisoners and detainees is obvious, it is also worth noting that we finally see a reference to the health and safety of staff and corrective services officers.

The explanatory notes to this bill highlight this government's inaction, stating that the Youth Justice Act 'does not provide a legislative framework to respond in the event of an emergency at a youth detention centre or include safeguards that must be considered'. I have seen firsthand the response to emergencies at these types of centres, both due to the actions of prisoners or detainees or due to extreme weather events such as cyclones and flooding. Those types of events are extremely trying for all members of the community, but the demand on emergency services is something you have to experience to fully understand. I would like to take this opportunity to thank the staff who work in those centres who, when faced with those situations, do their absolute best to ensure the security of those facilities and the safety of prisoners and detainees.

Whilst we acknowledge that there may be a need to temporarily relocate detainees of a youth detention centre, there are a few questions that we would ask the minister to address with regard to these potential relocations. Firstly, what protections are in place to ensure that a centre will be relocated to an appropriate locality? We have previously seen this government work on establishing a youth detention centre in the middle of Caloundra, so this question deserves an appropriate answer. With regard to the appointment of temporary staff, I would ask the minister how he proposes to ensure those temporary staff are afforded the same protections as other staff when this bill does not provide the same protections that would apply if they were employed under the Public Service Act.

I would also ask the minister what modelling or other work has been undertaken to ensure that people will actually want these temporary positions. It is a fact that staff have already been sent from Brisbane to Townsville to meet normal staffing requirements, and it is a fact that, under this government, we have seen increases in assaults in the corrective services facilities and an attrition rate in 2021-22 of 13 per cent. Given this government's track record and the issue relating to the act temporary staff would be appointed under, Queenslanders deserve to know how this government will protect all staff, especially in times of emergency.

I move on to the criminalisation of the use of drones over corrective services facilities and youth detention centres. This is a logical step to ensure the security of those centres. The explanatory notes mention that access to a rooftop poses a risk to the prisoner, to other prisoners, to staff and to the security of the centre and also undermines community confidence. The report into the 2016 riot at the Cleveland Youth Detention Centre states that young people on a roof pose a threat requiring the Queensland Ambulance Service to be put on standby at a minimum and may require intervention by police.

Despite all of that, this offence only applies to correctional centres and not to youth detention centres. Despite the risks and the impact on emergency services resources, deemed necessary by this own government's report, this offence would not apply to detainees in a youth detention centre facility. This is yet another example of this government failing to ensure consequences for actions when it comes to young offenders. I also note the amendment relating to the use of drones. I quote from the legislation that has been put before this chamber—

A person (the **operator**) must not operate, or attempt to operate, a drone at a detention centre or the land on which the detention centre is located, without reasonable excuse.

I ask the minister to clarify whether there will be a buffer zone around these correctional centres. What does that look like? What distances are we talking about? Can someone with the technology that exists today put a drone far enough into the air that it is not detectable? Can imagery from those drones be used from a neighbouring property to survey a correctional centre facility? It is very ambiguous and I think that needs to be tightened. I speak from a practical point of view.

Whilst this bill seeks to address threats posed by technology, it also seeks to embrace technology when it comes to improving the security in corrective services facilities. Body worn cameras, for example, are technology that staff in these facilities see as a valuable tool in improving security and their safety. Staff at the Townsville Correctional Centre raised this with me during a tour back in November. As the minister would know, I immediately offered my support and advocacy for implementing the transfer of body worn cameras from the Queensland Police Service to Queensland Corrective Services. I look forward to confirmation from staff that the minister's commitment to provide that equipment by the middle of this year has been honoured.

The opportunities on offer from technology like body scanners are immense and were highlighted by Michael Thomas of the Together union who told a committee inquiry into another bill that body scanners would ensure 'the safety and humane treatment of prisoners'. That evidence was given a year to the day before this bill was introduced but, despite the passage of a full year, what this bill will provide is—and I quote from the explanatory notes—'a clear head of power to support a trial'. This is yet another example of this government failing to act in a timely manner and yet another example of this government failing to address safety issues affecting staff in our corrective services facilities.

Surely Michael Thomas and the staff in Queensland's corrections facilities deserve a commitment from this minister outlining when the trial will commence, how long it will run for and, if the trial is successful, when a broader roll-out of this technology will commence.

Mr Ryan interjected.

Mr DEPUTY SPEAKER (Mr Hart): The minister will cease his interjections.

Mr LAST: They also deserve answers to questions raised by the same union, as well as the Australian Workers' Union, with regard to the use of body worn camera and CCTV footage when it comes to staff disciplinary matters, especially with regard to temporary detention centre employees.

I note that the minister in his contribution talked about corruption and misconduct. If you have a look at what 'misconduct' under the act refers to, it is 'inappropriate and improper conduct in an official capacity'. That is a fairly broad definition. I think our correctional centre staff throughout the state would like a lot more clarification from the minister regarding under what circumstances footage from body worn cameras will be used when it comes to the investigation of corruption and misconduct in those facilities. Does that open the door to absolutely everything or does it not?

Many times we have heard that failing to share information has resulted in tragic outcomes. It is a fact that today more than ever information is power. Queenslanders would agree that, when it comes to justice, power plays a role in keeping our communities safe. I acknowledge the benefits of information sharing when it comes to the health of a prisoner, but it is vital that we see these powers used to support frontline service delivery as promised in the explanatory notes, especially with the aim of improving community safety by stopping crime. All Queenslanders support stopping crime. Unfortunately, there are those people in our community who will only be prevented from committing crime by being held in an appropriate facility.

I note that this bill will reduce the number of classifications available to the chief executive under section 12 of the Corrective Services Act. Given the act states that a maximum security order can only be declared in limited circumstances, this change is of significant concern. Those circumstances include: a high risk of escape or attempt to escape; a high risk of the prisoner killing or seriously injuring; or the prisoner posing a substantial threat to security or good order. Those maximum security units, based on the threats posed by prisoners classified as maximum security, are deliberately designed and constructed to totally separate those prisoners from all other prisoners, including other maximum security prisoners. At face value at least, this amendment seems to lessen the opportunity to prevent escape and ensure the safety and security of the facility, prisoners and staff.

I call on the minister to clarify how this amendment will not make our prisons even more dangerous and how the minister will ensure that the risk to the community, especially as a result of escape, is mitigated. If the minister cannot provide those assurances and explain how safety and security in those centres will be maintained, then we will know this is yet another example of this government going soft on crime.

This bill addresses concerns raised by many people for far too long. We have seen the brave men and women who work in corrective services facilities and youth detention centres assaulted and severely injured. Especially with reference to youth detention centres, there are serious allegations that some of these injuries are handled in a manner to ensure they avoid public scrutiny. I note the minister's comments about increased penalties. We would like to know on how many occasions the maximum penalty has been imposed on a prisoner who seriously assaults a corrective services officer.

Our communities want to feel safe, and our communities are grateful for the men and women who play a role in making our communities safe regardless of the uniform they wear. Those of us on this side of the House will always advocate for the staff who work in those centres because we know this government reduced staffing increases by 86 per cent in the 2021-22 financial year in the midst of overcrowding and increased assaults. We know that it is this government that allocated just nine extra staff to Corrective Services in 2022-23 and that, of those nine, none—zero—were custodial correctional officers.

Those of us on this side of the House will always advocate for victims of crime regardless of whether the crime occurs in a community or inside a correctional centre or detention centre. Those of us on this side of the House will hold this minister and this government to account and we will ask the questions that need to be asked. I ask the minister during consideration in detail to address the concerns I have raised in the interests of safety for our staff and the wider community.