




Speech By
Kim Richards

MEMBER FOR REDLANDS

Record of Proceedings, 23 May 2023

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

 **Ms RICHARDS** (Redlands—ALP) (12.43 pm): Mr Deputy Speaker, what you have just seen on show there is the typical LNP. Goodness, gracious me! If you bothered to read the report or the transcripts you would have answered half of those questions for yourself. It just shows the laziness of the LNP and the incompetence.

Mr Ryan: All in one speech.

Ms RICHARDS: Exactly. Truly, if you are the shadow minister, you need to step it up.

Mr DEPUTY SPEAKER (Mr Hart): Member for Redlands, direct your comments through the chair, please.

Ms RICHARDS: Honestly! If you read—

Mr DEPUTY SPEAKER: Pause the clock. Member for Redlands, I just gave you a direction. You will direct your comments through the chair.

Ms RICHARDS: As I said, if the member for Burdekin had read the transcripts and the report and listened to the contribution of the minister, he would have had most of those questions answered. I also want to touch on the debate on the business program motion earlier where we talked about the ability to debate, time frames and guillotining debates. There are four LNP speakers to this bill. Honestly, you cannot make this up.

I rise to support the Corrective Services (Emerging Technologies and Security) and Other Legislation Amendment Bill. The Education, Employment and Training Committee undertook the examination of the corrective services bill. The bill amends the Corrective Services Act 2006, the Corrective Services Regulation 2017, the Police Powers and Responsibilities Act 2000 and the Youth Justice Act 1992. There are minor amendments to the Inspector of Detention Services Act, the Justice and Other Information Disclosure Act, the Medicine and Poisons (Medicines) Regulation, the Mental Health Act, the Penalties and Sentences Act and the Public Guardian Act.

The key objective of the bill is to modernise and update the legislative frameworks for corrective services facilities and youth detention centres in Queensland to respond to new technologies, emerging security threats and other changes in the correctional environment.

The key objectives of the bill include: to modernise how corrective services facilities and youth detention centres respond to emergencies that threaten the health and safety of people within them; to respond to new security risks by criminalising the use of drones over corrective services facilities and youth detention centres as well as entry onto their rooftops and other restricted areas—and we heard in the minister's contribution about recent events and what drones are able to do in a correctional environment; to provide clear authority to use X-ray body scanners—as we heard throughout the hearings, they will be operated in a very similar fashion to what most of us experience every day if we travel through the Brisbane Airport—closed-circuit television, body worn cameras and other emerging

technologies to maintain safety and security in correctional environments; to promote prisoner health and wellbeing and support frontline service delivery and interagency collaboration by facilitating greater information sharing; to update the prisoner security classification framework to better align with corrective services facility infrastructure and appropriately respond to risk—during our public hearings we heard in depth about the importance of those classifications and the ability to modernise and what that will mean in the corrective environment; and to clarify sentence calculation issues, enable the effective operation of the Official Visitor Scheme and support the delivery of prisoner health services provided by Queensland Health by updating outdated terminology within the act.

To inform the committee's examination of the bill we called for, and received, written submissions from stakeholders; we were briefed by Queensland Corrective Services and the Department of Children, Youth Justice and Multicultural Affairs; and we heard evidence from key stakeholders at a public hearing on 23 January 2023. Those submitters included: Dr Brendan Walker-Munro, Senior Research Fellow at the University of Queensland; the Office of the Information Commissioner; the Queensland Network of Alcohol and Drug Agencies; the Queensland Teachers' Union; the Queensland Law Society; the Queensland Human Rights Commission; the Prisoners' Legal Service; Mr Shane Cuthbert; the Australian Psychological Society; the Queensland Nurses and Midwives' Union; Sisters Inside; Together Queensland; the Office of the Public Guardian; and the Australian Workers' Union. We had a very good cross-section of submitters and in our public hearing we heard from many of them. There were some issues raised throughout that process which we have identified in the report and to which the minister and the government responded on 5 May.

The bill raised several issues relating to human rights and the fundamental legislative principles set out in the Legislative Standards Act 1992, including: the extent to which the proposed emergency powers under the Corrective Services Act 2006 would limit human rights and whether those powers are appropriately limited and subject to adequate safeguards; whether the bill includes adequate safeguards in relation to where a temporary youth detention centre could be established and for how long—which I think responds to the member for Burdekin's question; whether the proposed powers to use electronic surveillance and scanning searches are subject to adequate safeguards; the extent to which the proposed powers to share confidential information about prisoners would limit the right to privacy and whether such limitations are reasonable and justifiable, particularly when you consider international jurisdictions; and whether it is appropriate for prisoner risk subcategories to be prescribed by regulation. The committee was satisfied that the bill met those policy objectives, and our first recommendation was that the bill be passed. We made three other recommendations which the minister touched on.

The minister has confirmed that the threshold for making an emergency declaration under proposed section 271B(1) is appropriate and designed to better respond to significant events that have presented a real risk to the safety and security of corrective services facilities and the health and safety of people at those facilities.

The minister also clarified the permitted use of recorded electronic surveillance devices as they relate to performance management and disciplinary proceedings, noting that the bill provides that the CEO must be satisfied that use of the device will enhance one or more of the prescribed matters, including safety of persons, the security of facilities, preventing corruption and detecting contraband. These prescribed matters do not include performance management or staff discipline, as this is not the purpose for the use of these devices.

The minister has also clarified the information-sharing processes with foreign corrective agencies, in that the Human Rights Act requires that a decision to release information must be compatible with the act. This is a significant safeguard for release of information, requiring a decision-maker to consider the context and ensure that any release of information is justified, having regard to the nature of the impact on the individual's privacy, purpose for release, any less restrictive alternatives that might be available and safeguards in place.

The minister said that the statement of reservations again shows the LNP's laziness and that the homework is not being done. If they had done it, they would have known that the Palaszczuk government has doubled the penalty to make sure we provide the safest environment for our corrective services officers. If the member for Caloundra was in the chamber, I am sure he would back me in 100 per cent. He knows what the LNP did when they were in power. I am proud of the work our Palaszczuk government does to protect Queenslanders and to make our environment safe.

I would like to take this opportunity to thank my fellow committee members: the deputy chair and member for Southern Downs, the member for Theodore, the member for Hinchinbrook, the member for Stafford and the member for Rockhampton. I thank the parliamentary secretariat team, as well as the

officers from Queensland Corrective Services who provided a very comprehensive response to everything that the shadow minister raised. I only wish he had paid attention to what they were saying. I also thank the Department of Children, Youth Justice and Multicultural Affairs which also assisted the committee. I thank all of the submitters and witnesses who participated in the process. I commend the bill to the House.