




Speech By
Hon. Mark Ryan

MEMBER FOR MORAYFIELD

Record of Proceedings, 23 May 2023

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

 **Hon. MT RYAN** (Morayfield—ALP) (Minister for Police and Corrective Services and Minister for Fire and Emergency Services) (3.41 pm), in reply: I would like to start by acknowledging the contributions of members to the debate on a very important bill, the Corrective Services (Emerging Technologies and Security) and Other Legislation Amendment Bill 2022. As we have heard from many members in this House, the government is committed to the safety and security of adult corrective services facilities in Queensland. I am very proud to say that this bill delivers a suite of amendments to ensure the continued and enhanced safety and security of the custodial environment while responding to emerging threats and technology.

These amendments ensure the closed correctional environment keeps pace with change in a complex work area. I am encouraged by the support shown by members of this House for the bill. This bill is also a practical example of the Palaszczuk government's commitment to prioritising safety and backing frontline officers, as articulated in the Queensland government's objectives for the community.

Obviously there has been a number of matters raised in the debate, and I would like to take this opportunity now to address some of those issues. I will start with officer safety. We have heard some speakers raise the issue of officer safety, and some members have even suggested that this bill is a missed opportunity to address staff safety. One of the things we should highlight—and this comes to opportunities missed—is that corrective services staff were obviously very fortunate to miss the opportunity of an elected LNP government at the last election, because the LNP went to the last election with a policy—it was there in their costings—to privatise Queensland prisons which would have led to the sacking of public servants. This government has a very proud record when it comes to public operation of—

Mr Mander interjected.

Mr DEPUTY SPEAKER (Mr Lister): Member for Everton! I will not be giving any informal warnings from now on. Any members who interject like that on the minister will receive a warning under the standing orders.

Mr RYAN: In addition to that plan at the last election to privatise Queensland's prisons, the member for Everton also said that public operations of prisons was wasteful spending. He gave a number of speeches in the parliament about wasteful spending—

Mr Mander interjected.

Mr RYAN:—when it comes to the public operation of prisons.

Mr DEPUTY SPEAKER: The member for Everton is warned under the standing orders.

Mr POWELL: Mr Deputy Speaker, I rise to a point of order. Can I seek some clarification? The member for Everton was specifically named in the contribution by the minister. My understanding was that the member for Everton was responding to that direct provocation.

Mr DEPUTY SPEAKER: I take your point of order, but I have made my ruling.

Mr RYAN: We know, of course, that public operation of prisons is the best way to ensure the safety and security of those correctional centres and the safety and security of the brave and dedicated staff who work in those centres. We are very proud of our record when it comes to one of the biggest reforms in Queensland corrections history in almost 170 years to ensure that every Queensland correctional centre is in public hands, operated by public servants. These centres are staffed by custodial correctional officers, employed by Queensland Corrective Services, the public operator of correctional services in Queensland, with better job security, better training, better opportunities and better and safer working conditions. We have put an end to private prisons in Queensland and every Queensland correctional facility is now focused where they should be on rehabilitation, community safety and staff safety.

Since transitioning Arthur Gorrie Correctional Centre from private hands, we have increased staffing ratios and staffing numbers at that centre. We have installed additional safety measures like duress systems, alarms and biometrics. We have purchased new and better emergency response gear, improved staff amenities and enhanced infrastructure for staff security and prisoner safety.

One of the custodial officers at Arthur Gorrie Correctional Centre, Bex, said that when the prison was privately operated, 'You would be on the floor by yourself dealing with up to 62 prisoners. It was very unsafe for both staff and prisoners. You'd call for backup and there'd be no-one there.' However, when the prison changed to public operations Bex said that the changes were dramatic; that they now have two or three officers on the floor, they now have backup straightaway, and in her words—

Mr DEPUTY SPEAKER: Minister, can I ask you to explain how this is relevant to your bill?

Mr RYAN: Of course, Mr Deputy Speaker. With respect, Mr Deputy Speaker, you were one of the members who talked about missed opportunities. I am responding to missed opportunities to debate in the chamber. It was a missed opportunity at the last election for the LNP when it came to privatising prisons.

Mr DEPUTY SPEAKER: I will take some advice. Minister, you may continue.

Mr RYAN: Bex said, in her words, now that it is in public operations, 'It's so much better than what it was.' If the LNP had their way, they would have privatised our prisons, putting all staff at increased risk every single day. For them to suggest they are defenders of staff safety is simply farcical.

By contrast, this government is committed to progressing legislative reforms that support the important roles of frontline corrective services officers and keeps the officers and the community safe. This government acted and doubled the maximum penalty for a prisoner who seriously assaults a corrective services officer to 14 years. This is a strong response to violence against hardworking custodial officers, and it is being utilised already. In fact—

Mr Boothman interjected.

Mr RYAN: You would be interested to hear this. I am advised that since amending this offence, at least 16 persons have been charged with 28 offences against this new offence. I note the members opposite have called for a minimum penalty to be added. They had the opportunity when in government to make that change but took no action. Instead it was left to this government to increase the maximum penalty to 14 years. This government—

Mr Boothman interjected.

Mr RYAN: Well, at least 16 persons have been charged with the new offence on 28 occasions. This government also introduced presumptive workers compensation laws for first responders diagnosed with post-traumatic stress disorder including for our hardworking corrective service officers, among others.

In relation to other comments made by members about the number of assaults by prisoners on corrective service officers, they have quoted some numbers in correspondence that the department provided the committee. However, the part that the members did not address was that the number of serious assaults has not increased and that the number of assaults has actually decreased as a rate since 2021-22.

Mr Boothman interjected.

Mr RYAN: We will look at *Hansard* later and see whether I have to write separately to the Speaker about the record. In contrast, I will run a brief history lesson from the time the members opposite were last in power. The former government closed the Darling Downs correctional centre with 180 corrections staff losing their jobs. They gutted rehabilitation programs and diversion courts. They slashed prison

industry programs which were an essential component of prisoner rehabilitation. They have a history of underinvestment in centres. Due to the loss of public servant jobs during the LNP's leadership, Queensland Corrective Services discontinued maintenance on correctional centres, ancillary services and outsourced training. These actions made our correctional environments unsafe. The LNP's failure to plan exposed our hardworking frontline correctional officers to increased risk because the LNP's legacy is one of ripping resources out of correctional centres and not investing in them.

In contrast, this government has approved over \$1 billion in capital works projects across Queensland Corrective Services, supporting the construction industry with an estimated 727 jobs across the design and construction phases. It is hypocritical of those opposite to talk about attrition rates when they actually sacked—

Ms SIMPSON: Mr Deputy Speaker, I rise to a point of order. The minister is not relevant to the legislation. He is just droning on and burning up time when other people want to talk. Let's get back to the legislation.

Honourable members interjected.

Mr DEPUTY SPEAKER (Mr Lister): Order, members. I will take some advice and I will take it in silence. The debate thus far has been fairly broad and a large degree of latitude has been afforded to members. I believe the minister is broadly within the long title of the bill. I would ask him to be cautious that he remains within the long title of the bill.

Mr RYAN: To inform the member opposite, who might not have heard all of the debate, many members in the debate were talking about investment in infrastructure and staff safety, which is of course directly relevant to the comments that I am making right now.

In contrast, this government is committed to attracting, recruiting, developing and retaining a highly skilled, capable and professional workforce to deliver innovative and effective corrective services to ensure Queensland communities are safe. Under this government, since 2017 the number of full-time-equivalent custodial corrective services staff has increased by almost 1,500 staff. This can be compared to the over 1,800 full-time-equivalent custodial staff that existed under the LNP. In addition, Southern Queensland Correctional Precinct Stage 2 has planned recruitment activity starting this year to fill over 600 roles across custodial operations, psychology and allied health, industries, case and sentence management, rehabilitation programs and administration.

Some members raised queries in relation to the amendments in the bill that provide clear powers in relation to emergencies at youth detention centres. In relation to how a temporary detention centre is chosen, there are several safeguards included. Factors that must be considered include the ordinary use of the space and impact on other places. The temporary centre must be regularly reviewed, including whether a more suitable space is available. In relation to the temporary detention centre staff, the safety of all staff is an essential consideration. All temporary detention centre staff members, whether Public Service employees or temporary detention centre employees, would be covered by the youth detention centre policies, including in relation to health and safety, and would receive training in detention centre operations including physical interventions and safety prior to the commencement of any duties.

I note there were issues raised about which amendments only apply to adult corrective services facilities in relation to the rooftop offence. The new offence to prohibit persons from accessing the rooftop of a corrective services facility is limited to the adult context. I am advised that youth justice uses other approaches for young people to prevent, deter and respond to these incidents and that these methods are effective. Additionally, while criminal penalties might be an effective deterrent for adults, in the youth justice detention context the deterrent effect is reduced, and the member for Bundaberg outlined significantly from his experience some of the reasons behind that.

I would now like to address concerns raised by some members in relation to the new drone offence and the proposed boundary for this offence. I would like to assure members that a neighbour living on the boundary of a corrective services facility will, in fact, be able to fly a drone on their own property without the fear of prosecution. If a person has a reasonable excuse such as a neighbouring farmer legitimately using a drone, no offence will have been committed. Furthermore—

Mr Boothman interjected.

Mr DEPUTY SPEAKER: Member for Theodore, you are sailing very close to the wind.

Mr RYAN: Furthermore, if a person has the approval—and this is important—of the commissioner of Queensland Corrective Services to fly a drone over a facility or to take a photo of a facility, no offence will have been committed.

In response to a member's question about a buffer zone, page 25 of the explanatory notes, clause 15, provides the detail setting out the land on which a drone must not be operated or attempt to be operated without the approval of the chief executive of Queensland Corrective Services. Queensland's high-security correctional centres are deliberately buffered by government landholdings to provide separation from community. These landholdings are designated as 'community infrastructure—correctional purposes' and, as such, prohibit—these are already existing prohibitions—public access without prior permission and allow Queensland Corrective Services to enact legislative control measures in the event a trespass occurs. Low-custody facilities are typically arranged in a similar fashion. However, certain facilities that provide supported reintegration activities may be placed within communities such as work camps. Nevertheless, I acknowledge the matters raised by the members and I point those members to the explanatory notes.

I would now like to turn to the issues raised in relation to the use of body worn cameras at corrective services facilities. Before I provide detail of the government's investment in body worn cameras for Queensland Corrective Services, I can acknowledge the statements from my letter of 22 February this year to the member for Burdekin. The Queensland Police Service and Queensland Corrective Services work closely together on a large range of matters. In this case I am advised that they have already agreed to a transfer of body worn cameras to Queensland Corrective Services. I am surprised that the member raised the matter in the debate given that I wrote to him in February.

Ms Boyd interjected.

Mr RYAN: He does not read his letters. Fair dinkum! This transfer will supplement this government's significant investment in body worn cameras for Queensland Corrective Services. After an initial rollout of over 200 cameras, this government committed funding in last year's budget for an additional 500 cameras. The member for Burdekin did ask for an update on this commitment for new body worn cameras. I am advised by Queensland Corrective Services that all 500 units have already been delivered. On the subject of the delivery of commitments, the member for Burdekin is also now probably 700 days overdue for the LNP's crime plan, so the member for Burdekin is coming last again.

I note the member also raised concerns about how the footage from body worn cameras will be used, including for staff discipline. This issue has already been extensively addressed in the government's response to the committee report, tabled on 5 May 2023, and in my earlier remarks today. If members had actually read the documents which are associated with this bill, they would already have the answers.

The bill provides for the use of surveillance devices including body worn cameras to be authorised in prescribed circumstances. These prescribed circumstances do not include routine performance management of staff. Recordings are accessed retrospectively following an incident or allegation of corruption or misconduct. Responding to allegations of such conduct, including through staff discipline where appropriate, is essential to maintaining a safe and secure correctional environment. In this respect the amendment does provide for the use of recordings for staff conduct matters as this relates to the purposes that monitoring can be authorised for under the bill.

I will now turn to the concerns raised about the timeliness of the rollout of X-ray body scanners in Queensland corrective services facilities. Queensland Corrective Services is committed to providing new and strengthened opportunities to detect contraband and offer less invasive search methods in use. The importance of these non-invasive search methods is they support the government's response to recommendation 136 of the second report of the Women's Safety and Justice Taskforce, which provided that Queensland Corrective Services move to introduce widespread use of non-invasive screening technology to end the practice of strip searches in all women's correctional facilities. The new powers also support the implementation of recommendation 20 of the Crime and Corruption Commission's Taskforce Flaxton, an examination of corruption and corruption risks in Queensland's prisons, by granting broader powers to search within the closed correctional environment.

I am pleased to say that the industrial stakeholder for custodial officers, the Together union, supports these important amendments. Implementing these new search methods, with revolutionary new technology not previously used within Queensland Corrective Services facilities, takes time. I thank members for raising the issue around how this technology is to be implemented and trialled in Queensland Corrective Services facilities. I point out that the technology to be used in the trial is still being investigated by Queensland Corrective Services to ensure—this is a staff safety issue—that levels of exposure to radiation will be minimal whilst ensuring all technology is subject to other regulation or laws governing the use of technology, including requirements under the Radiation Safety Act and Radiation Safety Regulation, and that Queensland Corrective Services is fully compliant and fully licensed. Radiation is an important issue when you are X-raying people on a regular basis—for staff or

prisoners at a correctional centre. Queensland Corrective Services is committed to the safety of corrective services facilities and continues to enhance safety and security, and it will not cut corners to roll out this technology safely and swiftly.

I would like to now address a query about the amendments in the bill to update the prisoner security classification framework within the Corrective Services Act. Some members have incorrectly asserted that the amendment to remove the maximum security classification will increase risk to safety and escapes at a corrective services facility. I can provide assurances that this is not the case. In reality, the amendment will increase the flexibility in how Queensland Corrective Services manages the most dangerous prisoners within secure facilities in response to individual risk. Rather, the bill provides for the creation of risk subcategories within security classifications which can add an additional layer of risk management tailored to circumstances. The removal of the maximum security classification from the prisoner security classification framework does not alter the risk criteria required to be considered by Queensland Corrective Services when making a maximum security order under the Corrective Services Act.

I would like to acknowledge the outstanding work by frontline staff and the service delivery they contribute in respect of community safety. The correctional system manages a multitude of security risks such as contraband; violence, including domestic and family violence; gangs; violent extremism; and the risk of escape. These risks can also impact the broader community. Through working in partnership with state and Commonwealth corrections and law enforcement agencies, Queensland Corrective Services is able to assist to prevent or reduce crime and its impacts. A key tool supporting this collaboration is the authorised sharing of information, including proactive information sharing where appropriate.

Confidential information about prisoners or corrections can assist law enforcement in preventing crime. Information about offenders can also assist other jurisdictions to manage risk where prisoners relocate. The bill supports community safety by providing clearer legislative guidance for frontline staff to share information with these agencies and support community safety. Although I have had to address a number of issues, I think I have addressed all of the issues raised by members. There were a lot of questions and obviously a lot of information. I am grateful for the interest in the bill. I commend the bill to the House and encourage all members to support it.