



Speech by

Jann Stuckey

MEMBER FOR CURRUMBIN

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CORRECTIVE SERVICES AND OTHER LEGISLATION AMENDMENT BILL

Mrs STUCKEY (Currumbin—LNP) (12.38 pm): I rise today to contribute to the debate on the Corrective Services and Other Legislation Amendment Bill which was first introduced on 25 November 2008 and reintroduced to this parliament after the state election by the honourable member for Nudgee on 22 April this year. This bill seeks to amend the Corrective Services Act 2006 by addressing four key areas: prisoner's leave, prisoner's sale of artwork, prison visitors and parole board decision making. Additionally, this bill effects related amendments to the Penalties and Sentences Act 1992 and the Police Powers and Responsibilities Act 2000. It will also repeal the Sporting Bodies' Property Holding Act 1975.

Since commencement of this act, a number of issues have been identified in relation to the interpretation and operation of the act which the subsequent provisions within this bill purport to address. It could be said that these issues referred to broadly in the explanatory notes have exacerbated the degree to which some of these new amendments are more a result of a prison system under increasing pressure and staff struggling to manage their heavy workloads. Significantly, these amendments will abolish the resettlement and reintegration prisoner leaves of absence as recurrent programs have made these little-used procedures redundant. They will alter provisions dealing with visitor access to include biometric scanning of fingerprints as an identity check at each visit. They will amend requirements relating to prisoner trust accounts so that money held on behalf of prisoners is restricted, extend the length of time the parole board has to make a decision from 120 to 180 days, and modify eligibility criteria for persons to register on the Queensland Corrective Services Victims Register.

As honourable members have heard from the honourable member for Gregory and shadow minister for police and corrective services, the opposition supports the intent of this bill. However, we have considerable reservations about aspects of the changes to visitor access and extensions to decisions made by the parole board. The bill provides for certain prisoners to access a range of different kinds of leave of absence, abolishing the resettlement and reintegration prisoner leaves of absence as the issues that these forms of leave of absence were intended to address are now covered in the transitional programs offered by Queensland Corrective Services. The bill creates an offence of carrying on a business while in prison, which also means that it is an offence to privately sell prisoner artwork while a prisoner is in a corrective services facility. A number of prisoners take up painting and other forms of artwork which is a positive step towards rehabilitation and developing skills, and a number of them produce creative quality works. Some gain certification in their new trade and it is to be hoped that, upon release, a number of them will apply these newly acquired skills in a meaningful way in the workplace. In the past too many prisoners came out of jail with newly acquired skills and habits that would not assist them in a legal manner in the outside world.

In September 2007 then minister Judy Spence launched the prisoner artwork online gallery website which allowed the public to view prison art and craft and, if they wished, they could purchase pieces that were donated by prisoners. A sum of \$9,000 was raised in a one-year period and most of the money was given to charities, with a small amount used for purchasing art materials for prisoners to continue to work

with. However, an article in the *Gold Coast Bulletin* on 16 September 2008 highlighted how easy it was for money to be made if a prisoner transferred their work to a friend or a family member who then on sold it. A victim of crime was shocked to spot a prisoner's artwork on the eBay website. It was revealed a prisoner gave the artwork to Peter Foster's mother who then sold it on eBay. Peter Foster's mum! Gold Coast citizens are well aware of this notorious con man who seems to get his name in the press for all of the wrong reasons. We all know the saying that blood is thicker than water, but another phrase—birds of a feather flock together—would appear to be apt for this mother and son duo.

Not surprisingly, the general public has cried foul of this practice and many victims have viewed prisoners profiteering from their crimes as abhorrent. Depending on the notoriety of the prisoner, quite handsome fees may be on offer. Just look at the popularity of TV shows like *Underbelly* that glorify murderers. Fiction and reality become blurred for many and the escalation of vicious attacks, whether they be schoolkids or adults smashing glasses into each other's faces or cold-bloodedly shooting someone in suburban streets, are alarming signs of the times that we are living in. Prior to this legislation, one has to wonder how much artwork had already been transferred to friends and families of inmates to sell on their behalf. Amendments contained in this legislation will support the public's view that prisoners should not be able to sell artwork produced while inside the prison system as a means of financial income. Many people within our community would be upset with the prospect that prisoners can run a business while incarcerated for committing a crime fitting of a jail sentence. Now if they choose to do so, hefty penalties will follow.

As stated in the explanatory notes, the bill sets out the process by which a person may be approved to visit a corrective services facility and the conditions under which they may visit. Access to a facility is tightly controlled and is managed in accordance with the detailed provisions of this part of the bill—or so we are led to believe. There are a range of people who visit corrective services facilities and the bill provides for different treatment for different types of visitors based on the risk each class of visitor is assessed to pose and the purpose of their visit. Personal visitors are subject to an assessment by the chief executive. This assessment includes some of the following. If people wish to visit a prison, they must first apply for approval using a form 27 to apply to visit a prisoner. This form is then sent to centre staff who undertake a security check. It states that a person is not allowed to visit the prisoner until security clearance and criminal history checks have been done. However, once that clearance is granted, they make a booking with the correctional centre. There are numerous other regulations that I will not go through. However, it is important to note that they may be subject to a security screening with electronic drug detection or alert detector dogs—they may have a search at the discretion of the officer—and a search of their vehicle is another of these regulations.

Relaxation of checks on certain visitors to our correctional facilities as allowed in the provisions in this bill presents considerable concerns not just to the LNP but to the community at large. Allowing the issuance of an interim access pass to personal visitors of inmates without a criminal history check being carried out is absolutely ludicrous. How can this government willingly let inmates associate with people with criminal capabilities and connections who they may well have been in cahoots with outside prison walls? The fact that the chief executive can allow access via an interim pass at his own discretion to anyone he deems fit begs the question as to why this government is not prepared to wait for security clearances through proper channels. I ask the minister to address this in his reply. What is the reason for the relaxation of a critical safety measure for prison visitors, whether commercial or personal? Whilst the chief executive is no doubt an experienced person—and this is no sleight on his capacity or capability to do his job—amendments that soften security checks are bad policy and have the potential to put the safety of staff, inmates and visitors at correctional facilities at risk, which is why, as has been stated by the honourable member for Gregory, the LNP will be opposing this.

The Corrective Services website under the section of rules and regulations tells potential visitors that in many prisons they may be subject to security screening, as I mentioned, with electronic drug detection devices and that the search may, at the discretion of the officer, be a general search, a frisk search or may involve the removal of all clothing. It says that people 'may' be searched. The fact they 'may' be searched clearly highlights the flaws in security in our correctional centres. There are two things that can be concluded from the above example. Firstly, there are serious problems with understaffing, as everyone should have searches and criminal history checks done before being allowed to enter a correctional facility of any kind. The fact that they are not shows that our centres just do not have the staff. Secondly, this government is not committed to stamping out drugs and contraband in our facilities, or otherwise the above checks would be mandatory for all visitors to jails.

I support my argument with media releases from the previous minister dated 23 December 2008 and 5 January 2009 where it was noted that the Christmas crackdown in Queensland's prisons netted drugs, jailhouse brews and contraband, including tattoo guns, syringes and cigarette lighters. All that seemed to be missing were the drugs themselves. The January media release showed that further contraband was found despite the tightening of measures and the tough crackdown, and this included

mobile phones. Clearly, security measures need tightening, not relaxing. A report last year in the United Kingdom for the director-general of the National Offender Management Service by former top policeman David Blakey revealed the role played by both corrupt employees and visitors in smuggling drugs and other contraband. Perhaps we could learn from this report. With approximately one in every two prisoners in Britain's jails addicted to hard drugs, it is critical that the government disrupt the supply of illicit drugs into prisons. Here in Queensland the percentage is not as high—thank goodness—and it is vital that we make access to illegal drugs as difficult as possible.

One in six inmates entering prison in the UK becomes addicted to drugs, which proves how freely available drugs are and how organised the inside networks are able to function. This report outlines five key ways that drugs get into correctional facilities: by visitors, tossed over the wall, in the post in parcels, brought in by prisoners and through corrupt staff. Mr Blakey outlined many ways in which the correctional facilities in the UK can further stem the flow of drugs into prisons. Those measures come down to further checks and the searching of all visitors—not fewer, as is recommended in this bill.

The UK report acknowledged that completely eradicating illegal drugs in prisons would require an impractical level of searching and completely closed visits to every inmate. However, there should be some form of searching of every prison visitor. Other recommendations included a ban on prisoners handing clothes to prisoners as drugs can be stitched into them, that high technology body orifice scanner chairs—or BOSS chairs—be put into all prisons and that mobile phone blockers be introduced in high-risk areas.

The Queensland Corrective Services annual report for 2007-08 states that there were 5,491 people in prison in that year. I ask honourable members to ponder the thought that if each prisoner had one visitor a month that would equate to almost 66,000 visitors per year across the state to our correctional facilities. Doubtless, that is a large number of visitors to screen efficiently. I put in a request to our wonderful staff in the Parliamentary Library to find out the visitor numbers to Queensland's prisons and I was astounded to learn that a spokesman from Queensland Corrective Services told them that it does not keep statistics on the number of visitors to its facilities. As is the case with so many other departments within this government, that data is simply not collected by this department. That shows how incompetent this government has become.

I must admit that I am puzzled by this comment from the spokesperson. I refer to a press statement of 23 December 2008 from acting corrective services minister Schwarten in which visitor numbers are quoted. The minister quoted 205 visitors on the Saturday and 165 on the Sunday for the weekend before Christmas. He said that the 1,000-bed Woodford Correctional Centre averages 20 to 80 visitors each session. So if there are over 5,400 prisoners in Queensland's correctional facilities then there are tens of thousands of visitors.

When I talk to police they tell me that visitors must sign in a visitors book. So how difficult is it to keep a tally? Surely they have to keep a record somehow. Does the government not have a tracking system to check who has visited—a system that would divulge, for example, a former felon? Biometric scanning is fine for identity checks, but knowing who someone is does not prevent contraband coming in. Drugs are the scourge in prisons across the world, as the records clearly show.

Another amendment would permit urgent access passes in the event of an urgent maintenance problem, such as a water pipe breaking or something similar occurring. I would ask the minister to tell us if he is satisfied that appropriate security checks and balances will be carried out. Otherwise, once again, there is the potential for a security breach. Surely, the department would have a preferred list of service providers and therefore there is no valid reason for these providers to not be checked long before an urgent situation arises.

Under the current laws, a parole board must decide an application for parole within 120 days and where a decision is not made before the expiry of 120 days it is deemed to be refused. The reason given is that, owing to the increasing complexity of parole decisions, this time frame is no longer suitable. The amendment to extend the parole board decision-making process from 120 to 180 days once again raises some serious questions about staffing levels. I ask: is there an underlying reason for this amendment? Are the parole boards understaffed with the workload that they have to deal with in the current prison system? By the sound of it, they just cannot keep up with the workload that is thrust upon them. The Queensland Corrective Services annual report for 2007-08 states that there was an increase in staffing levels from 2,048 in 2006-07 to 2,309 in 2007-08. One could equate that increase to the need for extra staff created by the reopening of the Brisbane Correctional Centre and the department's inability to meet existing staffing shortfalls.

I would like to take a moment to acknowledge the great work of the staff who work in our corrective services centres. I know quite a number of them in my electorate. Whether they work in a high-security or low-security prison, those whom I have met are indeed a very dedicated bunch. As I said, I would like to place on record my gratitude for the work that they do. Prisons are a necessary part of our society. The government needs to get it right and ensure public confidence in a system that protects people properly while at the same time look after prisoners in a humane and a rehabilitative manner.