

CHAPTER 5: PEOPLE IN PRISONS

INTRODUCTION

A person may only be imprisoned on the order of a court or a tribunal. The normal sequence of events is: arrest by police; appearance before the court; initial detention in a police watchhouse; and finally admission to a reception centre.

Sentence management commences with the entry of personal details into the CIS data base and, after a preliminary assessment, the prisoner is allocated accommodation and the term of imprisonment begins. Over the following 21 days the prisoner is assessed to determine a security classification which reflects the level of risk to the system and to the community. Developmental needs able to be met by the system, and the most suitable placement, are determined. This process results in the formulation of a sentence management plan for those prisoners serving nine months or more. After reception the prisoner is allocated to a correctional centre where there may be opportunities for development and involvement in prison industries at some centres.

The individual's needs and security classification are reassessed from time to time and the sentence plan is modified as goals are achieved. The overall objective is to assist with reintegration into the community at the earliest opportunity. This may include, for example, transfer to a community corrections centre or one of the Work Outreach Camps.

Release from prison, without subsequent supervision, is automatic on completion of the sentence less any period of remission. Alternatively a community corrections board may approve leave of absence in excess of seven days, home detention, parole or a combination of these options. Regional community corrections boards operate in various locations throughout the State and make determinations on persons serving sentences of five years or less. The Queensland Community Corrections Board approves release of persons serving in excess of five years including life. Such releases are conditional upon the offender complying with any terms imposed.

ISSUES

Sentence management

- . Sentence calculation
- . Correctional programs
- . Prison industries
- . Prisoners with special needs
- . Security and safety
- . Custodial/community interface
- . Alternatives to custodial corrections

SENTENCE MANAGEMENT

Within 24 hours of a person's admission to a reception centre, personal data are collected and any initial risk and needs are assessed. Immediate intervention occurs if, for example, medical attention is required. Prisoners are inducted within 48 hours by informing them of their rights, entitlements and obligations during their placement within the correctional system. Within 14 days they are assessed in terms of security and behavioural risk. Long term prisoners undergo full assessment while those serving less than nine months go through an abbreviated process.

The scoring process for determining the offender's security classification (high, medium, low or open) appears in Appendix B. Individual needs are also assessed during this period. A documented Sentence Plan is developed from information collected during the admission and assessment processes and a decision is made on where the offender will be placed and the form of any intervention program.

Regulations require prisoner classifications to be reviewed at intervals of not greater than six months while QCSC policy states a classification should not be varied until one quarter of the non parole period at the present classification has been served. Any subsequent reclassification depends on the person's behaviour while in prison.

Sentence management teams usually consist of a sentence management coordinator, sentence management support officer and other officers as required. Key staff such as psychologists, counsellors and education officers are critical to a sound assessment process within the reception centres and for ongoing support in placement centres. A Senior Adviser (Sentence Management), located within central office, is responsible for developing sentence management policy and monitoring its implementation across the State.

Effective assessment and a well understood process for managing the progression of offenders through the system are critical components of good correctional management. Assessment is demanding in both time and expertise if consistent results are to be achieved.

Sentence management teams vary according to the centre's size, role and function, the availability of staff, and the general manager's commitment to the process. There is evidence, in the form of budget allocations and appointments of staff, which suggests that in some centres there is inadequate support for the process.

Inconsistencies in the sentence management process were observed across the State. Concern was expressed that senior managers in central office do not have the authority to ensure uniform application of QCSC policy and bring about change in the correctional centres.

The classification system is generally accepted by prisoners and staff. The Review has, however, identified areas where improvement is required. While there are specific time-frames for assessment procedures, numerous examples of non-compliance and inconsistencies between centres were mentioned to the Review. Attention was drawn to change in classification or in points score when transferring between centres due to differing interpretations of assessable criteria. Attention was also drawn to inadequate maintenance of records. Prisoners may move between centres without any indication as to the reason for the move appearing on the records. This can create problems for the prisoner and the receiving centre as long delays in resolving the prisoner's status may result.

Prisoners' classifications are required by regulation to be reviewed at least every six months but QCSC policy prevents reclassification until a quarter of the non parole period of the sentence has been served. This practice is resource intensive and for short sentences serves no useful purpose. Where resources are stretched, it is not always possible to meet prisoners' expectations for reclassification. Priorities have to be set and prisoners may feel aggrieved.

FINDINGS

- Sentence management is resource intensive, requiring high level professional expertise in assessment of behavioural, educational, personal and vocational needs.
- Central office does not have the means to progress the implementation of sentence management consistently across correctional centres.

Inconsistencies in sentence management occur as a result of the composition and expertise of sentence management teams.

All information relevant to an individual's sentence management plan is not always documented, creating difficulties for both the individual and the receiving centre.

RECOMMENDATIONS

24. The Director (Offender Development):

- implement, by 30 June 1994, an ongoing training program on assessment skills and classification policy for core members of sentence management teams;
- within six months of the completion of the first round of training, undertake an audit of sentence management processes in all correctional centres to assess compliance with QCSC policy and to identify issues requiring attention in the training program; and
- be responsible for monitoring compliance with QCSC policy on sentence management processes.

SENTENCE CALCULATION

Information from the court is used to calculate the sentence or to determine the date of the next court appearance in the case of a remand prisoner. Information on eligibility for remission and release options such as leave of absence, home detention and parole is generated by the Correctional Information System.

The accurate determination of sentence length is necessary to avoid releasing individuals before they are eligible or imprisoning them for longer than was intended by the court. Either scenario is unacceptable. Legislation such as the *Bail Act*, which has a mandatory cumulative effect, and the sometimes confusing orders of the sentencing authorities, can create difficulty in calculating sentence length. Cumulative sentences pose particular problems in relation to parole dates. For the purpose of calculating the date of eligibility for release on parole in respect of subsequent a cumulative sentence, the term of imprisonment for the cumulative sentence is interpreted, via Section 10 of the Act, as starting on the date

the cumulative sentence was handed down, not the date the prisoner will start serving the cumulative sentence (namely, at the end of the original sentence). This can result in a prisoner becoming eligible to apply for parole on a cumulative sentence before the prisoner has commenced serving the cumulative sentence.

Members of regional community corrections boards raised concerns with the Review about the complexity of determining eligibility dates and the considerable time spent on this issue at board meetings. In one instance, a regional board released a prisoner serving in excess of five years to a community based order due to lack of clarity of sentence length.

The CS Act provides for the resolution of such questions by the Supreme Court. This option has not been used and individual opinion has tended to prevail. Strategies are required for the prompt resolution of questions of sentence length.

FINDING

In some instances there is uncertainty in calculating sentence length due to legislative complexity and the detail of particular orders.

RECOMMENDATION

25. The Director (Offender Development) develop and implement by 30 June 1994, strategies for the prompt resolution of questions of sentence calculation including consideration of any need for legislative amendment.

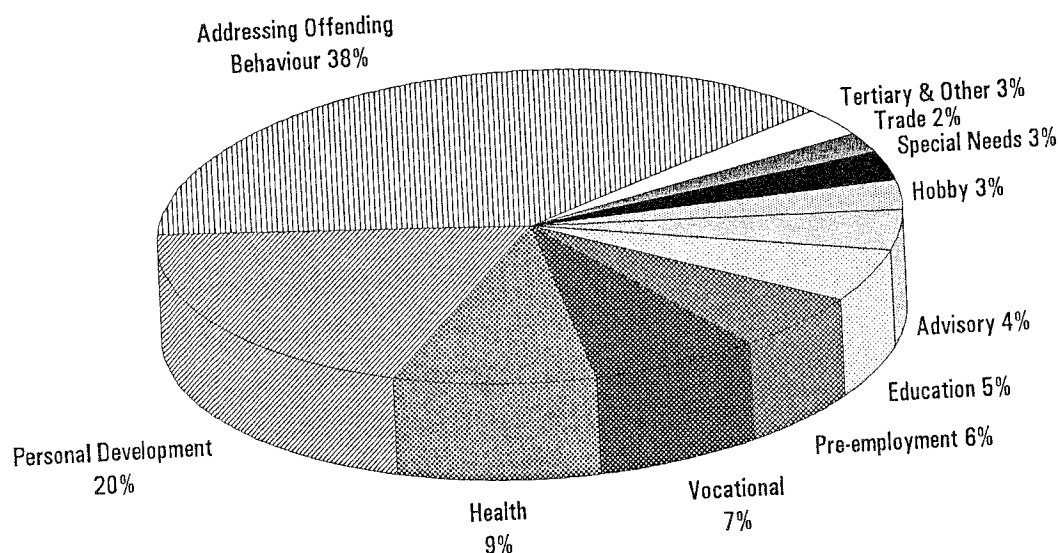
CORRECTIONAL PROGRAMS

Kennedy noted that basic skills education was a hallmark of a genuine correctional system. He recommended that special pre-release vocational courses be made available to young offenders, that the Department of Education establish properly set-up and funded schools within prisons, and that TAFE develop a comprehensive range of work and vocational skills programs within prisons. In his Interim Report he noted that \$5 825 was spent on prisoner education programs in Queensland in 1987-88. This represented less than \$1 000 per prison. In 1988 there were 33 positions with education and program delivery roles.

By contrast, in 1992-93, the QCSC committed \$4.6m (8.1 per cent of the custodial corrections budget) to programs. Education and library expenditure was \$631 900 and

\$351 500 respectively and is included in this total. Programs and educational services were delivered by 16 psychologists, 12 education officers and 22 counsellors (50 staff in total). Areas covered in custodial programs included education, technical and vocational skills, sports and leisure, drug and alcohol counselling, living skills, and personal development. The range of programs delivered is shown in Figure 5. Some programs have also been developed for people with special needs, for example, Aborigines and Torres Strait Islanders, life sentenced prisoners, sex offenders and women.

Figure 5: QCSC Program Types



Data on the situation in the rest of Australia are incomplete but some comparisons are possible. Queensland, with 43 prisoners enrolled in tertiary studies in March 1992, accounted for almost half of all tertiary enrolments by prisoners. At the same time, a third of Queensland inmates were enrolled in personal development courses.

The very low expenditure on prisoner education reported by Kennedy may be explained in part by a failure to take account of staff salary costs. However, if the salary costs of the 33 staff in 1988 are taken into account, there has still been a doubling of effort in this area.

There is scope for further improvement. At present, with high occupancy rates, placement options are limited as are the range of programs in individual centres. The Review was

informed that the needs of the individual were not always detailed to the extent possible because of the recognised constraints on the system. These problems are exacerbated by the lack of a central office position to coordinate program development and evaluate outcomes.

The collection of data, by the QCSC, on programs delivery is still in infancy. While monthly reports are required, these were described as 'patchy', often late and inaccurate. The current reporting format provides no indication of program quality or outcomes. There is also no indication of whether delivery was by appropriately qualified instructors.

The information provided in Figure 5 shows an emphasis on psychological and counselling related programs, with personal development and offence-related programs constituting 56 per cent of the number of programs offered. Fewer than 15 per cent of programs are focussed on pre-employment, vocational or trade skills. Education programs constitute only five and a half per cent of the programs provided. This may be explained in part by the high numbers of prisoners serving short sentences which make involvement in formal education difficult.

Representatives of community corrections boards, educational specialists such as Professor Byrne of the University of Queensland and some QCSC staff were critical of the lack of program coordination across the State, the lack of evaluation and inadequate program standards and development. Each centre develops its programs in isolation, often 're-inventing the wheel'. There was a shared concern by centre management and programs personnel about the lack of continuity across centres. They identified a particularly need for the development of 'core' programs. This view was shared by prisoners, some of whom had ceased involvement when they were transferred and unable to continue with their chosen courses.

The process of security re-classification and graduated release creates problems for community corrections boards in determining whether an offender has made efforts to address offending behaviour. In some cases, courts have included requirements that offenders complete particular programs before becoming eligible for parole or remission. Both prisoners and community corrections boards perceive potential injustice when there is inequitable access to programs to address offending behaviour.

The uncoordinated development of programs means also that the Commission fails to effectively utilise the skills of officers who have developed expertise in specific areas. In a number of centres facilities for conducting programs are inadequate as is the resourcing of

the programs units. There are few 'special needs' programs and an excessive reliance is placed on volunteers or presenters from other agencies at no or minimal cost to the QCSC. There is also little transfer of knowledge between custodial and community corrections.

Kennedy's recommendations that the Department of Education be involved in prison education and that a comprehensive range of TAFE options for prisoner education be developed have not come to fruition. Department of Education involvement occurs through the provision of distance education services to individual students rather than through a planned process of systematic support. The level of TAFE involvement depends on the centre's capacity to meet TAFE charges of up to \$75 per hour for evening classes, the necessity for evening courses and the availability of TAFE funding to provide free courses for 'socially isolated students'. Utilisation of TAFE services is also influenced by the extent of integration of industry and education programs and the extent to which local TAFE services match the requirements of the correctional centre. Additional comments on the relationship between the QCSC, Education Department and TAFE appear in Chapter 7.

There is a widespread view in the Commission that prisoners serving short sentences, fewer than six months, have insufficient time for realistic competency development. This view is not supported in contemporary competency-based learning practices. There is scope for increasing access to accredited competency-based learning processes through increased integration of prison industries and programs.

Programs should be recognised as having equal status to industry. However, as was the case for sentence management, the importance of program activity within a prison is influenced by the views of the general manager and often the programs area is an early casualty of any constraints within the budget. The management of Borallon was identified as one where programs and industries are integrated as a single response to inmate sentence management requirements.

FINDINGS

- A broad range of programs is now provided within Queensland corrective services.
- Pre-employment, vocational and trade focussed programs constitute less than 15 per cent of the range of options available.

- . There is no central office position with a clear responsibility for program development, coordination or evaluation.
- . The absence of a coherent framework for programs means offenders may be unable to pursue options agreed to in sentence management plans.
- . Community corrections boards are concerned over the lack of equity in program access across Queensland.

RECOMMENDATIONS

26. The Director (Offender Development) assume responsibility for statewide coordination of custodial and community corrections programs including the establishment of standards for their development, monitoring, evaluation and delivery. As part of this responsibility the Director will:
- . conduct a program needs analysis for custodial corrections by 31 May 1994;
 - . establish the core programs to be implemented in each centre by 30 September 1994; and
 - . conduct a program needs analysis for community corrections by 31 December 1994.

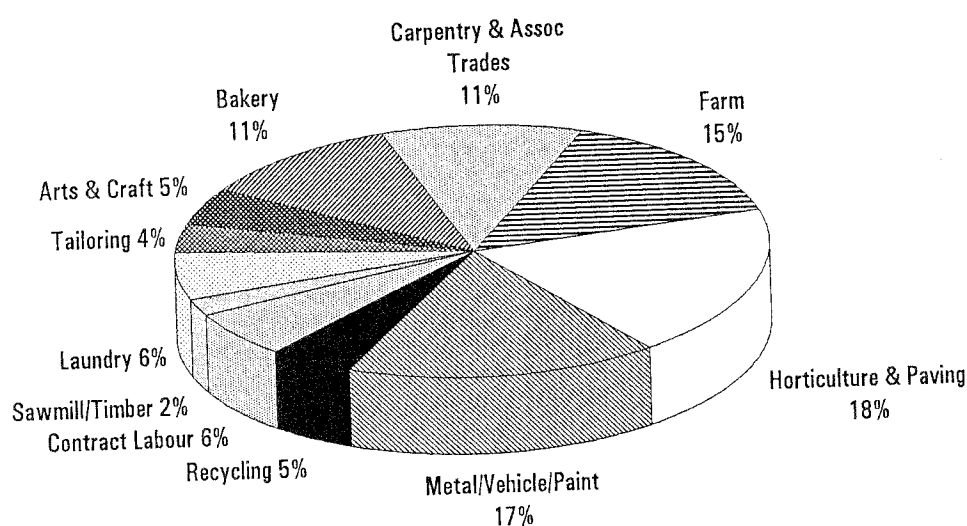
PRISON INDUSTRIES

Employment opportunities in correctional centres include those required to meet internal needs, for example, cleaning, cooking, tailoring and gardening and the production of goods for government agencies and the non-government sector (see Figure 6). The QCSC philosophy is that industries have a multi-purpose role. They keep prisoners active, assist in developing a work ethic, provide opportunities to earn money and develop skills and offset custodial costs to reduce the burden on taxpayers. In 1992-93 industries generated \$8.3m and made a net contribution (profit) of \$374 400. This is in line with Kennedy's observation that if society is serious about corrections, then it has to take seriously the provision of real work for prisoners. 'Breaking rocks and similar approaches to occupy prisoners' time went

out last century'. Kennedy envisaged prison industries competing with private enterprise for work, subject to reasonable guidelines and Government approval.

It is the QCSC's stated policy that life within correctional centres should mirror as far as practicable life within the community generally. The initial intention was for work to be undertaken in normal working hours and programs to be undertaken after work. The reality is that there are not enough vocational opportunities for all prisoners, therefore program activity is run in parallel with work and often competes for the same prisoners. Also many centre based programs are conducted by TAFE and the cost to the centre to run programs at night is significantly greater than to run the same program during the day.

Figure 6: Prison Industries



Industry strategy

While there have been a number of reviews of industries and the role of vocational pursuits within correctional centres, there is still confusion about the primary role of industries. The focus for many staff is revenue generation to supplement the budget allocation. Industry revenue is built into the centre budget and revenue targets are determined and escalated by the central office. While managers reported a capacity to negotiate lower targets, there was

no corresponding upward adjustment of the budget to compensate for the shortfall in industry revenue. Revenue targets and actual receipts for QCSC operated centres for 1992-93 and 1993-94 revenue targets are as shown in Table 15. Despite a shortfall of \$1.25m (13.1 per cent) in the target for 1992-93, the target for 1993-94 has been increased by 19.4 per cent over revenue for 1992-93. There is, however considerable variation across the centres.

Table 15: Prison Industries Revenue

Centre	Target 1992-93 \$	Revenue 1992-93 \$	Revenue vs Target %	Target 1993-94 \$	Target vs Revenue %
Wacol	2 742 000	2 133 500	-22.2	2 575 000	20.7
Sir David Longland	2 402 000	2 118 400	-11.8	2 600 000	22.7
Rockhampton	1 297 500	1 291 800	-0.4	1 300 000	0.6
Townsville	1 300 000	1 112 200	-14.5	1 492 000	34.1
Lotus Glen	836 800	649 800	-22.4	800 000	23.1
Palen Creek	360 000	429 400	19.3	414 000	-3.6
Numinbah	366 200	377 400	3.1	342 000	-9.4
Brisbane Womens	200 000	109 900	-45.1	202 000	83.8
Moreton	28 100	28 600	1.8	33 000	15.4
WORC	0	32 800	n.a.	128 000	290.2
Total	9 532 600	8 283 800	-13.1	9 886 000	19.3

The Planning Directorate in which the Business Operations and Marketing Section is located has as its Mission Statement "To plan and make money". Profit is also a stated strategic objective in the draft Nuleaf Business Plan 1994-98.

The Business Operations and Marketing Section advises individual centres and coordinates information on industry and farming activities. A further role is to evaluate proposed business ventures. An alternative view of this unit's function, put by some managers, is that it simply interferes, adds no value to the process and tries to second guess them.

Rockhampton and Townsville correctional centres each have an industry adviser to assist the general manager but in other centres this falls to the administration and finance manager or officer. Consequently the function of industry is managed differently in different centres. This lack of a consistent structure for business operations adds to the complexity for management.

The predominance of industry, particularly contract industry, over other centre activity can best be demonstrated by the response to recent prisoner strikes at Townsville and Sir David Longland correctional centres when management, supported by administration staff, were approached to forego normal duties to operate the laundry to meet contractual obligations. On occasions, work has been contracted to the private sector.

The QCSC Board should monitor industry operations to ensure a balance is maintained between revenue generation and access to programs for offender development.

FINDINGS

- Prison industries generated \$8.2m in 1992-93 with a net contribution (profit) of \$374 400.
- Industries contribute to offender management by providing activity and opportunities for developing vocational skills and a work ethic.
- There are tensions between maintaining a workforce to service industries and providing opportunities for offenders to participate in programs.

RECOMMENDATIONS

27. By 30 June 1994, the QCSC Board, as part of its monitoring role, develop indicators to ensure a proper balance is maintained between industries and other programs and that pressure not be placed on correctional centre managers to supplement their budgets through industry operations.

Profitability of industry

The QCSC has improved procedures for assessing the economic performance of prison industries. A number of industry/farm activities assessed as being unprofitable have been

closed and the Business Operations Plan 1993-97 identifies a number of activities which are subject to review. This presents as a dilemma for management in keeping prisoners occupied while maintaining its focus on efficiency and a realistic work environment.

In taking a decision to close a prison industry or farm project, an influencing factor should be the cost of alternative management options. The current QCSC position is that uneconomic activities should cease to be regarded as industries. If, however, a particular activity has value as a correctional program it may be continued but has to be assessed against alternative programs.

A risk assessment by Alexander & Alexander (August 1993) warned of potential problems which, if not addressed, could result in 'significant loss to the Commission'. Issues included: a high risk of food contamination; lack of consumer warnings on products; breaches of contracts due the unstable work force; malicious damage to public property; and injury/damage resulting from inadequate supervision of prisoners in the community. Any or of these matters could effectively nullify any profit margin if not properly safeguarded against.

Workplace health and safety issues need continuing emphasis in all areas of QCSC operations. Worker's compensation claims also have the potential to wipe out any profits able to be generated. The QCSC Annual Performance Assessment reported ten unresolved claims totalling \$1.14m for workplace injuries sustained by prisoners at 30 June 1993. In the years ending 30 June, 1991 and 1992, the QCSC finalised seven claims valued at \$429 200.

FINDINGS

- . The net contribution of prison industries is improving.
- . Where uneconomic activities are maintained as correctional programs they must compete in the order of priorities with other programs.
- . Risks which could affect the net contribution of industries to revenue have been identified.

Industry and sentence management

Formal vocational training is limited to those few long term prisoners who have either acquired trade qualifications or who are at present acquiring recognised qualifications. A significant number of prisoners are acquiring other vocational skills by way of programs rather than through work opportunities, for example, the WORC program. Integration of programs and industries is necessary to maximise employment opportunities in the community upon release.

Long term training and employment opportunities are subject to the individual's progress through the system. Frequent transfers are not conducive to effective skills training as there is little commonality of industries or vocational training programs across correctional centres. The Review was provided with a number of examples where vocational training, including apprenticeship training, was disrupted due to relocation. If trade or vocational training is identified as an essential part of an individual's sentence management plan this should be taken into account when transfers are required.

In addition, the range of vocational opportunities and work placements within correctional centres is limited. Whilst a number of prisoners in secure custody situations are employed in meaningful and productive positions, many are engaged in less challenging tasks which can be completed in a minimum of time and with a minimum of challenge. They are in fact time fillers, often within the worker's own accommodation block. However, these tasks do provide an important tool to management in that prisoners occupied in some structured labour are less likely to be involved in activity disruptive to the effective operation of the correctional centre.

FINDINGS

- . There is little commonality of training programs and industries across correctional centres.
- . Transfers of individual prisoners may disrupt vocational training.

Prisoner remuneration

Rates of remuneration are determined by the QCSC board and implemented by way of a Commission's Rule. The current rule, applicable from 1 November 1993, provides for four

basic rates ranging from \$1.90 to \$3.70 per day. A bonus payment of up to 100 per cent of the appropriate rate may be approved, subject to certain performance standards being met for a work group or an individual.

The need for prisoners to be able to generate income to meet their personal requirements is important to them. It has also been the source of prisoner unrest. It is essential that remuneration rates be reviewed at least annually and paid consistently across the State for work of equal value. Despite the QCSC Board approving remuneration rates in the format of Commission's Rules, inconsistencies occur as a result of centres 'doing their own thing'. Given the sensitivity of remuneration in overall prisoner management issues, QCSC Board approval of the rates is appropriate.

FINDINGS

Prisoner remuneration is inconsistent across correctional centres and is a source of prisoner unrest.

Relationship with industry groups

The QCSC has established an Industry Advisory Committee to oversee the development of industries within correctional centres. Membership includes: the Queensland Confederation of Industry (QCI); the Australian Council of Trade Unions (ACTU-Qld); and the Department of Business, Industry and Regional Development. While this action is applauded by industry groups, they regard the concept of business for profit as alien to QCSC core business.

Industry groups consider the value of prison industry to be in vocational training and they have given indications they would be prepared to assist in this regard if requested. These groups have no objection to the QCSC tendering for work on the open market. They believe, however, that quotations should include normal industry on-costs and the payment of award wages, even though the actual remuneration to prisoners might be considerably less.

Support is also given to joint venturing with private enterprise, import replacement and export development. Some concern has been expressed that joint venturing with private enterprise could be perceived as 'slave labour' if adequate remuneration is not paid to those participating in the project. However, it may be necessary to continue to encourage involvement in some 'risk' ventures to create the range and diversity of employment opportunities necessary if the QCSC objective of full employment is to be achieved.

There is particular concern in respect to the expansion of laundry capacity within correctional centres, particularly the Sir David Longland (SDL) and Townsville correctional centres. SDL has a present capacity for 70 tonnes per week (present throughput is approximately 35 tonnes) and is able to rapidly expand to 90 tonnes per week. Private industry capacity for the Greater Brisbane Area is in the vicinity of 425 tonnes per week. The Textile Rental and Laundry Association is concerned any loss of existing Government contracts, such as for hospitals will result in the pursuit of private sector work to make up any shortfall. Partnership arrangements with the QCSC were seen as unlikely because it was considered QCSC would not secure Quality Assurance accreditation.

At present the QCSC is confident that it will achieve quality assurance accreditation by 1 July 1994. QCSC management reported a three per cent failure rate at the last audit of the Sir David Longland laundry against a minimum standard of five per cent. If accreditation is not obtained, it may be necessary to seek an exemption from the State Purchasing Policy.

FINDINGS

- The QCSC consults with industry and union organisations in the development of its business operations.
- The QCSC is extending its links with industry and commerce organisations at the local level and is cognisant of the need to develop industry in harmony with local operations.

RECOMMENDATIONS

28. By 30 June 1994 the Director (Corporate Services) develop, for inclusion in the QCSC industries strategy, criteria against which existing and proposed business initiatives can be assessed. Such criteria may include net financial contribution, profitability, vocational benefits, inmate needs and development of a work ethic and industry development based on import replacement, export development and joint venturing initiatives.
29. The Director (Corporate Services) develop a timetable for implementing statutory requirements in relation to workplace health and safety in all areas of the Commission and provide quarterly reports on implementation progress to the Director-General.

30. The Director (Offender Development) ensure standardisation, where practicable, of prisoner vocational training across correctional centres.
31. The Director (Offender Development) prepare annually, for the Board's consideration, a review of prisoner remuneration.
32. Proposals for any significant development or expansion of prison industries only proceed with the approval of the Minister, following consultation with relevant industry and union groups, for example, the Industry Advisory Committee established by the Queensland Corrective Services Commission.

PRISONERS WITH SPECIAL NEEDS

A number of offenders fall into groups identified as needing special attention. These include sexual offenders, women, Aborigines and Torres Strait Islanders, people with drug and/or alcohol problems, young adults and people with intellectual disabilities.

Sexual Offenders

Sexual offenders comprise a quarter of the Queensland prison population serving sentences of 12 months or more. A sexual offenders treatment program (SOTP) has been developed to assist these inmates to accept personal responsibility for their actions and to modify their behaviour. The program, which is recognised as highly innovative in Australian corrections, has three custodial phases, conducted over 12 months before an offender's release, plus a community based phase. The first intake to the SOTP occurred in September 1990 and by March 1993, 139 had commenced the program. Forty-nine offenders have completed all custodial phases and a further 28 have completed the first phase.

The current QCSC policy of conducting the program at the end of an offender's sentence has caused some confusion and resentment among prisoners. The program is only offered at the high security Moreton correctional centre and offenders who have progressed to a low or open classification resent having to regress to a high security institution. The Review also encountered instances of the judiciary including the SOTP as part of a sentencing option.

Where this has occurred outside south east Queensland, it has caused social dislocation for the offender's family.

The program, which has the support of the Mental Health Branch, Queensland Health, lacks the resources to enable every sex offender to complete the program. The program requires a high level of professional expertise which is not currently available at each centre. Suitable programs need to be developed and be made more widely available for sex offenders who do not meet the selection criteria for the SOTP.

Prisoner groups perceive sex offenders are disadvantaged in parole applications if they have not attended the SOTP. Understandably successful completion of the custodial phases of the SOTP, by a sex offender seeking parole, is often regarded favourably by community corrections boards.

The community corrections phase of the SOTP has not been implemented. A preliminary evaluation by Consulting Services, QCSC indicates a form of SOTP, in community corrections, is developing independently from the custodial program and there has been almost no formal, structured investigation of processes or follow-up of offenders who have participated in the program. The SOTP is still relatively new and evolving. An evaluation of its effectiveness is not expected in the short term.

FINDINGS

- There is limited access to the Sexual Offender Treatment Program.

- The effectiveness of the program has not been assessed.

RECOMMENDATIONS

33. By 28 February 1994 the Director-General to have selected an external consultant, preferably from the tertiary sector, to evaluate the Sexual Offenders Treatment Program and to develop complementary programs which will allow all sex offenders an opportunity to address their offending behaviour.

Women

On 30 June 1993, 79 women were in prison in Queensland. Accommodation is provided at the Brisbane Women's correctional centre, the Women's Unit in Townsville and at the Albion correctional centre. Albion caters for those in their final year prior to their release.

The QCSC has recognised the particular problems facing women in prison. In August 1992, the Board approved 'special needs' status for women prisoners and established a working party to consider 'fundamental change' throughout the Commission. The *Report of the Women's Policy Review* was considered by the Board in November 1993.

The most obvious indicator of disadvantage is that most women, regardless of their security classifications, serve their sentences in maximum security settings. The only alternative is the Albion correctional centre. Under these conditions there is little incentive to work towards good behaviour and program achievements. The policy review recommends that Commission policy on sentence management not apply to women and that a separate system of management based on individual behavioural and risk assessment be developed. The Report outlines problems with current accommodation including: inadequate facilities for women with children; lack of adequate weather proof visiting facilities; lack of separate facilities for long term offenders and remandees; insufficient facilities to enable a range of programs to be run concurrently; and lack of space for outdoor recreational opportunities. Cells do not have power points, sufficient lighting for reading or fans.

The other major issue is the lack of community correctional centre options for women, especially those from North Queensland. This is of particular relevance when other less restrictive environments such as those provided on farms or through WORC programs are not available for women.

Few programs address the special needs of women prisoners. At the Townsville correctional centre, some domestic violence and stress management programs have been offered separately for women, but otherwise women attend programs with men. A range of programs are offered in Brisbane. These depend on the availability of staff and volunteers, or the capacity to pay external providers. Staff and inmates identified a strong need for ongoing programs including life skills, financial management, parenting skills, domestic violence, stress management and conflict resolution.

Work opportunities at Brisbane Womens Prison and Townsville are limited and, with few exceptions, do not provide skills relevant to labour market opportunities. This is of significance given that almost 70 per cent of women in prison have dependent children or other relatives to care for. With the exception of offenders located at Albion, release to work programs for women occur very rarely.

Current visiting arrangements appear overly restrictive, particularly for those women whose families must travel some distances to see them. More flexible visiting arrangements would assist women prisoners to continue family involvement. Women in prison also have particular needs for specialist health care and counselling.

The introduction of specific training programs for staff working in female units or correctional centres is recommended in the policy proposal to be considered by the Board, and would address some of these concerns. Review of unnecessarily restrictive management practices and procedures would also assist in reducing the level of systemic disadvantage of women prisoners.

A further issue is the gender balance of correctional staff at the centre. Of the 26 officers, eight are male (30 per cent). By contrast six of the seven senior officers (86 per cent) are male. Most female staff support the presence of male officers, although some consider the proportion too high for a women's facility. Practical difficulties are created when there are insufficient females to undertake special duties such as strip-searches. It is noted that the policy proposal to be considered by the QCSC Board in November recommends that the proportion of male staff not exceed 20 per cent in a women's facility. This view is supported.

FINDINGS

- Women prisoners are disadvantaged by current security classification procedures and limited alternative correctional settings.
- Women prisoners have a range of special health, program and social needs which are insufficiently addressed by current services, policies and procedures.
- The *Report of the Women's Policy Review* provides a sound basis for addressing the range of institutionalised disadvantage experienced by women prisoners.

RECOMMENDATIONS

34. By 30 June 1994, the Director (Offender Development) prepare, for the QCSC Board's consideration, a sentence management and classification system specifically designed for the needs of women prisoners.
35. The QCSC executive to consider the recommendations of the *Report of the Women's Policy Review* and report to the Board on proposed actions by 28 February 1994. Such proposed actions are to specify financial implications, including any capital works requirements, where applicable.

Aborigines and Torres Strait Islanders

Aborigines and Torres Strait Islanders constitute 1.9 per cent and 0.5 per cent of the Queensland population respectively (1991 census). On 30 June 1993, there were 400 Aborigines and 27 Torres Strait Islanders in custody out of a total Queensland prisoner population of 2 068. This represents 19.3 per cent and 1.3 per cent of the offender population respectively.

Statutory duties of the Commission in relation to Aboriginal and Torres Strait Islander (ATSI) offenders include the appointment of an Aboriginal or Torres Strait Islander Commissioner, and an Aboriginal or Torres Strait Islander member of each community corrections board.

QCSC initiatives to address problems faced by indigenous offenders include the appointment of at least one Aboriginal or Torres Strait Islander official visitor at each correctional centre and the employment of ATSI staff in a range of custodial, community corrections, administrative and policy positions. Some basic staff training is provided and cultural programs are permitted in some correctional centres.

The Queensland Government has allocated \$10.5m over three years to eight programs associated with the Aboriginal Deaths in Custody initiatives. The QCSC has responsibility, or shared responsibility, for 88 of the Royal Commission into Aboriginal Deaths in Custody's (RCADC) recommendations and is a core member of the Aboriginal Deaths in Custody Inter-Departmental Committee (IDC).

Limited funds have been allocated to the two programs for which the QCSC is responsible. The Community Justice Development Program provides resources to community organisations to establish alternatives to imprisonment. The second program supports prisoners and their families, for example, by resourcing community organisations to employ support services coordinators. Funding for this program was \$175 000 in 1992-93 and \$235 000 in 1993-94. Community members will be trained to escort prisoners on leave of absence. Initiatives reported by the QCSC include the establishment of two Aboriginal Tribal Councils' facilities for community corrections with programs aimed at ATSI people. The QCSC is also negotiating the establishment of out-stations for placement of offenders with Aboriginal communities in far North Queensland.

The Aboriginal Deaths in Custody Overview Committee was established by the Queensland Government to advise the IDC and the Government on the implementation and monitoring of the Government's response to the recommendations of the RCADC. At a meeting of the Overview Committee, to which the Review was invited, concerns about the QCSC response to the Government's initiatives were identified. The QCSC was seen to have been slow to act on the programs for which it is responsible and had responded inadequately to specific RCADC recommendations. At the same time, the QCSC has the view that the Overview Committee has provided inadequate support to assist the Commission to obtain access to RCADC funding.

Other concerns of the Overview Committee included the delay in replacing the ATSI representative on the QCSC Board; the failure to meet the agreed target of 10 per cent employment of Aboriginal or Torres Strait Islander staff; inconsistency of General Managers' Rules between centres, limited Aboriginal or Torres Strait Islander access to the WORC program, ambivalence over the establishment of ATSI offender committees in centres, and problems with sentence management and programs.

The need for adequate recognition of the cultural differences between Aborigines and Torres Strait Islanders was raised on a number of occasions with the Review. It was noted that staff recruitment campaigns had resulted in higher numbers of Torres Strait Islander custodial officers obtaining positions. Recognition of cultural differences was also raised as a more general issue with respect to official visitor appointments. In one centre, two of the official visitors were women. Aboriginal men are, for cultural reasons, either unable to talk to these women or are constrained in the matters which may be discussed.

Aborigines may be disadvantaged when applying for leave of absence, home detention or parole. The process of applying for leave of absence is often not well understood, and even when literacy is not an issue, prisoners experienced difficulty in expressing their requests in writing. Also, many ATSI inmates are unable to nominate individuals likely to be approved as sponsors, particularly when they were imprisoned some distance from their homes. Applications for home detention may be adversely affected by not being able to nominate a suitable residence because of the presence of extended family members with criminal histories. Parole applications may also be at greater risk of being refused where levels of program participation have not been high. It was further noted that, even where parole is granted, it is important to ensure that adequate community support mechanisms are in place to assist in the meeting of reporting and other obligations.

Policy advice on ATSI issues related to corrections, including diversion from custody, needs to be strengthened. It is therefore recommended that responsibility for ATSI issues be included in the role of the policy unit to be established within the office of the Director-General.

FINDINGS

- . Aborigines and Torres Strait Islanders are over-represented in the prison population.
- . Greater recognition of cultural differences between Aborigines and Torres Strait Islanders is required.
- . The QCSC and the Aboriginal Deaths in Custody Overview Committee have differing perceptions as to the QCSC's responsiveness to the Royal Commission into Aboriginal Deaths in Custody initiatives.

RECOMMENDATIONS

36. The policy unit within the Office of the Director-General, have specific responsibility for coordinating policy development in areas affecting Aboriginal and Torres Strait Islander inmates in consultation with the Department of Family Services and Aboriginal and Islander Affairs as lead agent for ATSI matters.

Drug and/or alcohol dependent offenders

There are no detailed statistics on the number of offenders with drug and/or alcohol problems or even those on detoxification regimes. Requests have been made for data to be included on CIS. To date this has not happened. One estimate suggests that 60-70 per cent of offenders suffer from some level of substance abuse and many are in prison as a consequence of drug related crimes. Against this background there was anecdotal evidence of an escalating drug abuse problem in correctional centres and a lack of strategies for addressing the problem. Apart from the effect on individual prisoners, there are associated problems of drug related violence and risks to the safety of staff and other inmates.

Persons showing signs of drug withdrawal on admission to prison are managed through a regime of drugs (valium or clonidine) and, in particular cases such as barbiturate withdrawal, observation. The exception to this rule is that pregnant women who were on a methadone program at the time of admission are permitted to continue, although on reducing doses.

The Health and Medical Director is of the view that this process could be more effectively managed if urine testing was done on admission and has made such a recommendation to the Board and is awaiting approval.

The decision not to permit registered methadone users to continue their programs when in prison is based on concerns about the possibility of trafficking of these drugs in centres. The policy has attracted considerable criticism from prisoners, their legal representatives and professionals working with drug and alcohol dependent persons. The reasons given to the Review for this criticism of the QCSC include:

- unnecessary discomfort to the person as methadone withdrawal can take up to 18 days, and heroin withdrawal from six to eight days;
- increased risk of suicide or self-harm; and
- increased risk of drug abuse on release where a stable methadone regime has not been continued.

The Commission has employed a Coordinator, Substance Abuse Team, to manage the development and delivery of drug and alcohol programs to correctional staff. This position is funded in part by the National Campaign Against Drug Abuse. One program has been delivered but was poorly attended because of difficulties in releasing custodial staff for training.

Drug and alcohol services in correctional centres are delivered by a range of providers including Drug Arm, Alcoholics Anonymous, Narcotics Anonymous and QCSC staff. There appears to be little coordination of services and no explicit policy framework. Specialist health professionals expressed concern to the Review that educational methods employed by the Commission are inappropriate. The focus is on providing information rather than engaging offenders in strategies to minimise harmful drug-related behaviour.

The need for drug and alcohol programs was mentioned in most correctional centres by staff and inmates, and in community corrections offices. Although most correctional centres ensure that some programs are provided, there does not appear to be any monitoring of the quality of programs whether delivered by external providers or internally. Thus, for example, some inmates may participate in a program which advocates abstinence from alcohol as the sole strategy for addressing substance abuse. It was also stated that one program consisted simply of participants taking turns in reading from health promotion pamphlets. It is also noted that the QCSC policy on detoxification is not always implemented in the centres, e.g. offenders undergoing detoxification have been transferred and their controlled, drug assisted, withdrawal program been discontinued by the responsible general manager.

FINDINGS

- . A high number of offenders have drug and/or alcohol related problems which impacts on offending behaviour.
- . Anecdotal evidence suggests that there is an escalating drug abuse problem in correctional centres.
- . Many inmates, legal representatives and health professionals oppose the current policy on management of drug dependent offenders.
- . There is a need to ensure that drug and alcohol programs are monitored to ensure quality.
- . Current QCSC Drug and Alcohol Policy is not implemented as intended.

RECOMMENDATIONS

37. The Director (Offender Development), in consultation with Alcohol and Drug Dependence Services, Queensland Health, evaluate the range and quality of drug and alcohol programs provided to offenders and develop a plan for the Director-General on recommended changes by 30 September 1994. A proposed action plan is then to be submitted to the Board.

Young adult offenders

The Commission established a Young Offenders' Advisory Committee with staff and community representation in November 1989. This committee reported in March 1991 and provided a comprehensive range of recommendations, including improved case management systems, the need for specialist assessment skills and program responses and the need for separate accommodation for young offenders. By September 1993, no action of any substance had been taken to implement the recommendations of the report. A workshop held to reconsider the report recommended that the recommendations of the earlier report be prioritised and strategies for implementation developed. A senior officer has been seconded to oversee implementation of the report.

Many representatives of prisoner and community groups, as well as a significant number of Commission employees, expressed the view that there should be special facilities for offenders aged 17-21 years. It was considered that, if this were not possible, some segregation of accommodation and the development of specific programs was desirable. Implicit in this view was the belief that while work would be part of the program, emphasis should be on providing vocational skills and developing a work ethic and not merely providing labour for prison industries.

There is another view that age alone is a fairly crude measure for determining access to special programs. It proposes that the offender's age should be only one of the factors taken into consideration in developing accommodation and program alternatives for this group of offenders. Commission staff and stakeholders who recently attended a workshop on the implementation of the *Report of the Young Offenders Working Party* acknowledged this in their draft statement of policy on young offenders, referring to the inclusion of other offenders in programs targeted for young offenders 'in accordance with their individually assessed needs'. Factors such as previous experience of custodial institutions, including juvenile detention centres, and individual characteristics indicating vulnerability (such as

intellectual disability, levels of maturity and history of self harm) are regarded as the other matters which should be taken into consideration. Assessment of individual needs could be built into the sentence management process. Although this approach is supported, a number of factors, including the current emphasis on participation in industry activities and the limitations of the current sentence management system will impede implementation.

The final report of the Young Offenders' Advisory Committee provides a useful framework for correctional programs to assist young offenders to address their offending behaviour. Some updating of this report may be necessary to take account of any changes since it was first developed.

FINDINGS

- . The report of the Young Offenders' Advisory Committee (March 1991) has not been implemented.
- . More attention is required by the QCSC to address the special needs of young offenders.

RECOMMENDATIONS

38. The Director-General brief the Board on the *Report of the Young Offenders' Working Party* by 28 February 1994, and seek approval for the implementation of its policy and proposed strategies.

Offenders with an intellectual disability

There are no Queensland statistics on the numbers of offenders with intellectual disabilities. A 1988 New South Wales study suggested they comprise approximately 12 per cent of the prison population. Intellectually disabled offenders are vulnerable to assault because of their behavioural characteristics and limited capacity to develop adaptive behaviours. They may also breach rules through lack of understanding. There is considerable debate about the desirability of such prisoners being segregated. The main argument in favour of some degree of segregation is that a better degree of protection may be afforded, whilst the opposing argument is that segregation is against the principle of 'normalisation'.

QCSC staff are currently participating in an inter-departmental committee on the needs of offenders with intellectual disabilities who are involved with the criminal justice system. The committee, which includes the Queensland Police Service, Queensland Health and Family Services and Aboriginal and Islander Affairs, has not yet concluded its business.

FINDINGS

There are no data on the incidence of people with an intellectual disability subject to correctional orders.

An Inter Departmental Committee is examining the needs of people with intellectual disabilities in the criminal justice system.

RECOMMENDATIONS

39. The inter-departmental committee on the needs of intellectually disabled offenders in the criminal justice system submit its report to the Minister for Family Services and Aboriginal and Islander Affairs and the Minister for Police and Minister for Corrective Services by 31 March 1994.

SECURITY AND SAFETY

The primary function of custodial operations is to maintain offenders in safe custody during their terms of imprisonment. The philosophy of prison as an option of last resort, and graduated release of offenders, is resulting in a 'harder' prison population. This is evidenced by serious assaults of Commission staff and inmates, escapes, disturbances and the emergence of a predatory prison gang culture. There is concern that not all assaults within the prisoner ranks are detected or reported.

The QCSC has adopted static and dynamic security measures to maintain the integrity of the custodial corrections system. Static security has three components:

- Physical security which relies on barriers such as fences, gates, and walls;
- Mechanical security which is equipment such as weapons and handcuffs; and
- Electronic security which consists of cameras, microphonic detection cables and alarms.

The Commission has, as a priority, introduced a new standard perimeter security system which comprises a hard perimeter and improved detection and surveillance equipment associated with the perimeter. The Commission aims to have this type of secure perimeter at all high and medium security correctional centres. In 1992-93, \$4.5m, or 41 per cent of the capital budget, was spent on perimeter upgrades throughout the State. This will continue at a number of centres during 1993-94. A consequence of improved perimeter security is the increased risk of hostage situations as part of escape attempts. This risk is recognised by the Commission and should be addressed in staff training and improved security practices.

The physical construction of a correctional centre also has a significant bearing on security arrangements. QCSC management argue that the design of the three most recent centres, Borallon, Sir David Longland, and Arthur Gorrie were Prison Department initiatives that incorporated dated security practices such as fixed posts. These facilities were not designed to facilitate unit management practices. The proposed redevelopment of Townsville prison is said to incorporate a completely different approach to prisoner accommodation and therefore modified security practices.

Dynamic security relies on staff. It involves correctional officers interacting with inmates and becoming familiar with their behaviour to provide early warning of potential problems. It should therefore provide a safer environment for staff and prisoners. While both dynamic and static security are important in the day to day operations, sustainable security relies upon adequately resourced systems and a committed and competently trained workforce.

Staff at most centres expressed strong views that prisoner discipline is deteriorating. This view was supported by a number of prisoners interviewed during the Review. Management expressed frustration about external pressures, such as the threat of judicial review, limiting the capacity to maintain discipline.

The Review found a common perception among custodial officers that correctional centres are under-resourced in terms of staffing. Officers, and some inmates, expressed fears of being assaulted. Similar sentiments are expressed in the 1992-93 Report of the Parliamentary Commissioner for Administrative Investigations (Queensland Ombudsman), as a result of visits to six prisons throughout the State during the year.

The staff to inmate ratios provided in Table 16 below can be compared to an Australian average ratio of custodial staff to offenders of 1:1.9 (Source: AIC, 1993)

Table 16: Ratios of Staff to Inmates by Centre

Centre	Inmates	Custodial Staff	Ratio	Custodial & Program	Ratio
Brisbane Womens	62	38	1:1.6	49	1:1.2
Lotus Glen	238	145	1:1.7	163	1:1.4
Moreton	152	84	1:1.8	109	1:1.3
Numinbah	67	8	1:8.3	14	1:3.8
Palen Creek	72	8	1:9.0	10	1:7.2
Rockhampton	180	88	1:2.4	106	1:1.7
SDL	213	150	1:1.4	172	1:1.2
Townsville	239	125	1:1.9	141	1:1.8
Wacol	235	79	1:2.9	94	1:2.5
Total	1458	725	1:2.0	858	1:1.7

QCSC data suggest that staffing pressures at Wacol and Rockhampton may be considerably greater than for other centres with comparable prisoner populations. During the review, the population at Rockhampton increased to 240. The situation at Rockhampton has been exacerbated by proportionally greater numbers of casual staff (12 equivalent full time positions compared with an average of three at other centres). There have been major incidents at Wacol and Rockhampton in recent months.

The Commission deals with violent and recalcitrant prisoners by involuntarily transferring them to other prisons to break their power base. The result has been disturbances at the receiving centre and allegations of breaches of human rights and social dislocation. The present shortage of bedspace has exacerbated the Commission's ability to effectively manage this type of prisoner. The number of these prisoners is estimated, by various sources, to be 30-100. Kennedy recommended that these 'thugs' be appropriately isolated and dealt with to avoid disruptions to the majority of inmates who want to 'do their time' and get out of the system. The attention of the Review has been drawn to a special needs unit in the New South Wales correctional system where prisoners of this type are placed for three months and exposed to intensive program intervention prior to return to the prison mainstream. The Review recommends that priority be given to dealing more effectively with violent and recalcitrant prisoners.

An additional component of secure custody is the transportation of prisoners between centres and from centres to the courts. Whilst attendance by the offender in such cases is not obligatory it is common practice. Apart from the cost of escorted transport, this practice provides opportunities for prisoners to escape. A further option worthy of investigation is 'video-conferencing' in areas where the volume of court appearances justifies infrastructure costs, for example between the Arthur Gorrie Centre and courts in Brisbane.

Prior to 1989, correctional centres were responsible individually for transporting and escorting their inmates between centres, to the courts and to medical and other appointments. A lack of coordination resulted in unreliable and duplicated services. As a consequence, the Transport Escort Group was formed. The Group's 1992-93 budget was \$4.05m and it has 64 permanent and 30 casual staff. In addition to its transport and escort role, the Group is responsible for: the mobile dog squad; the secure unit at the Princess Alexandra hospital; the QCSC radio network; and a truck division. A Crisis Control Unit is being established within the Group to respond to riots and other incidents in south east Queensland.

FINDINGS

- . There are inconsistencies in staffing levels at custodial centres.
- . QCSC lacks suitable facilities for violent and recalcitrant prisoners.

RECOMMENDATIONS

40. The Director (Custodial Corrections) submit to the Director-General by 30 June 1994 a report on the security related skills of custodial staff which specifically addresses:
 - . measures required to improve training; and
 - . the development of a custodial correctional officers' procedures manual including comprehensive security standards.
41. By 30 June 1994, the Director-General review the staffing requirements of all correctional centres having regard for physical infrastructure, inmate population characteristics and needs and issues such as staff leave and training, and report on the findings, through the Board, to Cabinet for consideration.

42. By 31 March 1994, the Director (Custodial Corrections) develop, for the Board's consideration, a proposal to segregate violent and recalcitrant prisoners from the mainstream prison population and their management once isolated.

CUSTODIAL/COMMUNITY INTERFACE

Kennedy recommended the amalgamation of the then Prisons Department and the Probation and Parole Service to provide a coordinated approach to corrections. At present around ten per cent of community corrections' business originates from custodial corrections. As the bulk of community corrections work originates from the courts, the two areas of the QCSC still work relatively independently of each other. Community corrections staff tend to identify more with the courts than with custodial corrections.

Partial integration has been achieved with the establishment of community corrections centres which allow prisoners to be gradually released into society within the restrictions of a supervised environment. Prior to the establishment of the QCSC only prisoners on parole were supervised by the Probation and Parole Service. In addition, the WORC program, managed by custodial corrections, provides prisoners with similar opportunities for gradual release into the community.

Integration has been aided by the placement of community correctional officers in custodial centres. These officers assess applications for release and make recommendations to community corrections boards.

At present there is no continuity between a parolee's sentence management plan while in prison and the case management plan developed by community corrections after the person's release. Correctional staff and offenders would benefit from integrated sentence plans which would accompany offenders throughout their sentences. Another area where improvement is possible is the coordination of programs. At present custodial and community corrections develop and implement their programs independently and in an ad hoc fashion. The availability, content, and standard of programs vary from centre to centre.

The Review identified the following concerns in relation to graduated release options.

While release to work, home detention, or parole require assessment of the offender by a community corrections board, other forms of release such as transfers from

custody to community corrections centres, or to the WORC program, proceed without reference to a community corrections board.

There is often a lack of communication between custodial corrections and the supervising community corrections office in relation to notifications of leave of absence (LOA) and conflict over who is accountable when a breach of the LOA occurs.

There are inconsistencies in the issuing of LOA, for example, offenders on the WORC program receive more freedom than those under the supervision of community corrections. Offenders may be reluctant to progress to community corrections options because of more stringent requirements.

A related issue is the perception that custodial corrections appear to be more liberal than community corrections in issuing social passes. (A combined committee of general and regional managers is addressing this issue).

Clearer guidelines need to be established to ensure consistency and a gradual increase of privileges as a prisoner progresses through the continuum of correctional programs towards release.

Kennedy saw a graded transfer of supervision back into the community as the way to provide both corrections and programs for reintegration into society. As part of this he identified a pressing need to bring together the authority for all forms of release and transfer to a properly organised, responsible and accountable body, namely the Queensland Community Corrections Board.

Specific problems identified by Kennedy included:

- significant programs, such as home detention, not having a satisfactory legal basis;
- certain practices such as using leave of absence powers to circumvent parole refusals being fraught with risks and undermining the properly constituted and legislated approach;
- releasing prisoners back into the community without the controlled supervision of experienced parole officers; and

prisoners remaining in prison beyond the eligible-for-parole date waiting to be discharged completely free on remission.

The corrective services legislation following from the Kennedy review amalgamated the *Prisons Act* and the *Offenders Probation and Parole Act* and set the stage for a period of significant reforms. Nevertheless, due to the immense changes which have taken place in corrective services since the legislation's inception, issues requiring further attention have emerged. There are inconsistencies, anomalies and gaps in the legislation which leave many important facets of current corrective services administration inadequately addressed.

The full range of facilities through which offenders can currently progress are not formally defined in the corrective services legislation. For example, the WORC program is not a designated prison or community correction centre but an approved compulsory program under the Act. The magnitude of the program requires it be recognised in legislation.

In addition to community corrections centres, offenders may be accommodated in smaller-capacity residences prescribed by the Commission's Rules as 'institutions'. There are several such community corrections institutions in operation. The QCSC has also established out-stations in remote areas for ATSI offenders. Formal legislative recognition of these other types of institutions may also be warranted.

Facilities which are not specifically provided for by the legislation are not necessarily bound by the management mechanisms also provided for by the legislation. Consequently, legal anomalies in the operation of such facilities may arise. For example, General Manager's Rules exist for the WORC program although the General Manager of the WORC program is not the general manager of a 'prison' and thus not empowered by the legislation to make General Manager's Rules.

The *Corrective Services Act*, for the most part, provides management mechanisms for prison operations and is silent on many aspects of the operation of a community corrections centre. Of particular concern is the lack of an adequate mechanism governing the movement of offenders housed at community corrections centres. The very function of community corrections centres revolves around inmates engaging in employment, performing community service or attending education and self-development programs. A leave of absence is the only mechanism provided by the legislation to accommodate these absences. This mechanism, which requires the relevant regional manager to approve the absence, is overly cumbersome. To overcome this situation some regional managers include as an additional condition of the

offender's leave of absence the general requirement that the offender not depart the centre without written consent. Passes are then issued by the particular centre authorising particular absences by the offender from the centre.

The corrective services legislation does not articulate the purposes for which home detention is to be granted or articulate its place in the correctional continuum. Instead, home detention is regulated by way of ministerial guidelines directed to the community corrections boards and guidelines in the Community Corrections Policy and Procedures Manual. The view has been expressed that the criteria for home detention should be more explicitly spelled out in the legislation.

A leave of absence may be granted by the Commission (a power delegated to general and regional managers) for any of the specified purposes. Approval of the appropriate community corrections board is necessary if the leave of absence is to be granted for a period exceeding seven days. The purposes for which a leave of absence can be granted are diverse, ranging from a few hours' leave to receive medical treatment to the relocation of an offender to a community corrections centre. Three distinct types of leave of absence have been identified:

- . fewer than seven days for compassionate, educational, rehabilitative, medical and other purposes;
- . more than seven days for similar purposes as the short term leave of absence for which community corrections board approval is necessary; and
- . release to work, which may include the relocation of an offender to a community corrections centre.

These broad applications of the term 'leave of absence' have caused considerable confusion and it has been suggested that the one mechanism cannot cover adequately such different situations. In some instances, general managers have issued successive seven-day leave of absences, for example for employment purposes, thereby achieving a long-term leave of absence without obtaining community corrections board approval. Such a practice is contrary to the intent of the legislation and compromises safeguards enacted in the interest of community safety. It would seem appropriate that the different applications of the leave of absence mechanism be accorded separate legislative treatment in order that they may be regulated appropriately.

Under Section 69 of the Act, the Commission may transfer prisoners between specified 'institutions'. These are widely defined to allow transfers to and from, for example, prisons, community corrections centres and places for medical treatment. Concern has been expressed that the one mechanism is inadequate to such a wide range of situations and different considerations should apply to, for example, the transfer of a prisoner from a prison to a community corrections centre as opposed to the temporary transfer to a place for medical examination or the treatment of alcoholics.

Kennedy was concerned that prisoners were remaining in prison without applying for parole waiting to be discharged completely free on remission. Prisoners become eligible for parole after serving one-half of the term of imprisonment and remission after serving two-thirds of their sentence. A prisoner released on parole must serve out the remaining one-half of the sentence under parole conditions and can be returned to prison if these conditions are breached. A prisoner who chooses to serve out a sentence is eligible for the one-third remission and any other that may have been earned while in prison. Depending on sentence length, only a further short period of time may need to be served beyond the date a prisoner is eligible for parole before they may apply for remission. This problem still remains.

The criteria for granting remission are 'good conduct and industry' whereas an applicant for parole must satisfy more demanding criteria such as addressing their offending behaviour. It is seen as anomalous that the criteria for remission, which results in final release, are easier to satisfy than those for parole, a conditional and supervised release into the community.

FINDINGS

- . Kennedy's proposal for an integrated correctional system has not been realised.
- . The major differences between custodial and community corrections' programs result in inconsistent procedures and a lack of continuity of program delivery for offenders.
- . Many of the problems identified by Kennedy in relation to the former legislation governing corrective services now exist with the current legislation.
- . Many institutions, programs and other key aspects of offender management lack a satisfactory legal basis or are inadequately regulated.

- . Practices exist which are abhorrent to, or undermine, the properly constituted and legislated approach.

RECOMMENDATIONS

43. By 30 June 1994, the Directors of Custodial Corrections, Community Corrections and Offender Development jointly prepare a plan to improve the consistency of QCSC operations across custodial and community corrections for consideration by the Board.
44. The proposed review of the *Corrective Services Act* include amendments:
 - . to provide a statutory basis for all placement options which are an alternative to secure custody prior to a prisoner's release on parole or remission;
 - . to clarify the mechanisms whereby prisoners may be moved from secure custody prior to their release on parole or remission; and
 - . to address current anomalies in the parole and remission systems.

ALTERNATIVES TO SECURE CUSTODY

In February, 1989, the management of the only Release to Work hostel for male prisoners was transferred from custodial to community corrections and designated as a community corrections centre. In December, 1989, a similar community corrections centre for females was established at Albion. Since then, a number of community agencies have contracted with, or received grants from the QCSC, to operate eight similar community corrections centres or other residential arrangements. The operations of these centres are monitored by community corrections regional managers.

The combined capacity of these centres, including those operated by the QCSC, provide accommodation for 163 offenders at a much lower cost than secure custody. Residents, usually with a low/open security classification, are approved by community corrections boards. The objective in these arrangements, apart from reducing costs, is to assist in the reintegration of offenders into the community. Residents may obtain approval to leave the centres at specified times to work, seek employment, perform community service and/or

attend programs. They may also be granted resettlement leave with family or close friends, usually on weekends. Checks on their movements are the responsibility of community corrections.

This QCSC initiative has been well accepted. Its effectiveness, including an assessment of costs and benefits, has yet to be evaluated. On the limited information available it appears that considerable savings have been achieved in comparison with the secure custody alternative.

FINDING

The establishment of residential style community corrections centres for low/open security classification offenders has provided a useful and apparently cost effective alternative to secure custody.

WORC PROGRAM

The Work Outreach Camp (WORC) program, which evolved from the clean-up after the Charleville flood in 1990, provides opportunities for low and open classification offenders to work in supervised camps in western Queensland. At present camps are located at Charleville, Mitchell, St George, Yuleba, Winton, Blackall, Clermont and Injune. Inmates, who earn around \$40 per week, reside at these camps for four weeks then return to Brisbane for a one week leave of absence. There is one field supervisor for every ten offenders. In July 1993, 232 inmates were involved in the program which has a \$4.2m budget for 1993-94. The per capita cost of around \$17 600 compares most favourably with an average cost in excess of \$40 000 in a custodial centre. In the three years to February 1993, 1 002 offenders passed through the program. The majority were discharged on completion of their sentences (43 per cent) with a further 40 per cent placed under community corrections supervision. The remainder were returned voluntarily or involuntarily to custody, and 11 offenders absconded.

The major issues drawn to the attention of the review were: the offender selection process; field operations; community involvement; and program management.

Offender selection

Proper offender selection is crucial to the success of the program. Community attitudes in the areas visited by the Review are finely balanced in favour of participation. It would, however, require only one serious offence by a WORC participant to seriously jeopardise the entire program. The scheme has been sold to the local communities on the basis that no offenders with a history of violent crimes are accepted onto the program. This has not always been the case and interpretations of what constitutes 'a history of violent crimes' seem to differ.

A formal process is set down in Commission's Rules with the following selection criteria:

- . classified as low or open security;
- . in the latter stages of their sentence and approaching eligibility for release;
- . able to demonstrate that their behaviour has continued to be of acceptable standard and that they pose no threat to the general public; and
- . eligible for resettlement leave of absence with family and friends.

Police involvement in offender selection is an essential safety check for the community. Community perceptions appear to be that the police are playing an active role in this area. The recent QCSC audit of the WORC scheme (September 1993) highlighted deficiencies in the current approach as related by police:

(The) Commission had failed to honour its agreement with the local community by not affording police a right of veto on camp placements prior to their occurrence. In most instances the police had to wait until they received a weekly fax to then check their computer records for outstanding warrants and offending patterns.

For example, Charleville police are faxed a list of inmates arriving each Monday, no criminal histories are attached. Yuleba police, as at October 1993, were not even supplied with a list of names.

To reinforce this need to involve police in the selection process and to be provided an opportunity to raise concerns at the possible placement of any individual on the program, the appropriate district office should be acquainted with all planned placements to camps in that district. Any objections raised should be taken into account in the final selection process.

If a problem does occur it is absolutely essential that the Commission deals with it promptly. Offending inmates must be removed without delay. The communities currently perceive that the Commission is doing this. An earlier response of transferring troublemakers between camps must not occur. Powerful signals are given to the communities when offending inmates are immediately returned to Brisbane.

As well as these formal selection criteria a number of other lessons appear to have been learnt over the past few years. The program is unsuitable for young offenders and prisoners with relatively short sentences. The best participants are low/open prisoners who have 'served time', been reclassified and still have some time before eligibility for release. These people have a greater appreciation of what the camp offers.

Rehabilitation programs should be completed prior to going on the scheme largely because of lack of access at these more remote centres. There is also a lack of access to recreational and hobby programs.

The need for a transition camp to assess an inmate's suitability to work in a rural community was stressed on a number of occasions. It was stated that the Wacol village, which houses approximately 90 inmates, is not suitable as a staging area for the camps. There is also a strong perception that bed shortages in low and open custodial corrections centres is as much an impetus for expanding the WORC scheme as identifying suitable inmates who would benefit from the experience.

FINDINGS

- . Selecting the right inmates for the scheme, and the goodwill of the community, are essential to the success of the WORC program.
- . A community expectation that local police will screen WORC program participants is not being met.
- . The community expects prompt action when inmate problems arise.

Community Involvement

The commitment of the local council to the continuation of the scheme is essential. From their perspective, the real benefit is in getting things done around the town that they could

not otherwise afford. Charleville stated that the work done by inmates in supplying kerbing and water meters has justified their presence in a financial sense. Camp provisioning through local retailers is also a significant financial boost to the local community.

WORC Advisory Committees operate in each of the host towns to develop the work program for their camp. Committees should include local council representatives, police, community members and a WORC representative but not all have this full representation. Assistance is provided if the project does not jeopardise local employment prospects and if applicants are unable to pay for the service.

Activities vary between camps. Some communities are now looking for longer term projects to justify their camp's existence. For example, the Charleville council is looking to expand its camp's garbage recycling role. Mitchell, St George and Yuleba are more concerned with council maintenance projects.

There has been a chequered history of inmates working on properties or mobile camps. Problems encountered included a 'slave labour' mentality of some property owners, relatively free access by inmates to property vehicles, difficulty in policing alcohol bans, fears of residents on adjoining properties, and the need for property owner and inmate to get on together.

The community interaction with local citizens is seen as a benefit to the scheme but this alone is not sufficient to sell the concept. As the turnover of prisoners is quite high it needs to be continually reinforced to them that they are part of the community. The community acceptance and interaction is seen as a real plus by inmates.

FINDINGS

- . Broad community involvement in the WORC program is essential for its survival.
- . QCSC managers need to use Work Advisory Committees and other forums to promote the positive aspects of the scheme.
- . Inmates appreciate community acceptance for the work performed. This is seen as a strong rehabilitative factor in building personal self-esteem.

RECOMMENDATIONS

45. The WORC program be given a statutory basis, administered by community corrections.
46. By 30 September 1994 the Director (Community Corrections) complete an assessment of the staffing and infrastructure requirements of the WORC program and report to the Director-General. Proposed action plans arising from this assessment are to be forwarded to the Board for endorsement.
47. The process for selecting participants in the WORC program be amended, in consultation with the Queensland Police Service, to give the Police Service, preferably at the district office level and in advance of any transfer occurring, an opportunity to raise objections to participation by any offender considered to present an unacceptable risk to the community. The Minister is to have final determination on proposed selection disagreements between QPS and the Commission.
48. The rules governing the transfer of participants in the WORC program be amended to ensure immediate removal from the program, and return to a more appropriate correctional centre, of any offender whose behaviour is considered unacceptable by the local program supervisor.

Field operations

High quality supervision of the WORC camps is as critical to the success of the program as the selection of participants. A lack of adequate supervision has been cited as one of the major factors contributing to the withdrawal of the WORC program from Cunnamulla. The duties of the field supervisor position should be properly described and vacancies filled on merit. This will overcome current perceptions that some staff are employed under the Best Mates Act.

Because field supervisors are rostered for 24 hour shifts two weeks at a time, they are the closest thing the Commission has to unit managers. Consequently they should be specially trained to handle the variety of 'human' issues that inevitably arise in the camps. The clear evidence to date is that the current supervisors have not been given sufficient induction

training let alone ongoing developmental training. This was also recognised in the recent QCSC audit report.

The location of camps away from residential areas would assist in the supervision of inmates who are less likely to wander off if the camp is remotely located. Only the Charleville camp has any form of perimeter fencing. The community also has a greater sense of security with the correct location of the camp. The size of the camp should be proportional to the size of the community with 18 inmates a suitable size for Mitchell and St George and 9-12 suitable for Yuleba. Charleville Council have imposed a limit of 35 on its camp. Field supervisors stated that the larger the numbers of inmates the greater the likelihood of sub-groups forming within the inmate ranks.

Very limited data are provided to the camp supervisors about the offenders under their control. Only a Leave of Absence form (Form 7) with an attached photograph accompanies the offender on transfer. The recent audit recommends 'That each prisoner be accompanied on transfer with a photocopy of relevant custody documentation and case notes from his file'. The audit report also recognises the need for increased security procedures. Officers of the QCSC are moving to tighten supervision in a number of areas.

FINDINGS

- . The selection criteria for WORC field supervisors are inadequate.
- . Adequate induction training and ongoing developmental training for field officers is not undertaken.
- . Camp security and the extent of inmate supervision varies between camps.

RECOMMENDATION

49. The Director (Community Corrections) by 31 March 1994, develop for WORC Field Supervisors:
- . an appropriate position description;
 - . in consultation with the Director (Corporate Services) an appropriate induction and training program; and

- . a process of internal review to monitor and evaluate the effectiveness of the positions and the training program.