

PART C

THE EFFICIENCY, MANAGEMENT AND DESIGN OF PRISONS

IN THE PUBLIC INTEREST WHAT CHANGES, IF ANY, SHOULD BE MADE IN THE ORGANISATION, ADMINISTRATION AND OPERATION OF THE QUEENSLAND PRISON SYSTEM, INCLUDING, *INTER ALIA*, CHANGES IN RELATION TO THE EFFICIENCY, MANAGEMENT AND DESIGN OF PRISONS, INCLUDING:

- the use and allocation of resources by the Prisons Department;
- the adequacy of facilities provided;
- the cost effectiveness and desirability of introducing private sector involvement in the operation of all or part of the prison system.

3. EFFICIENCY ISSUES IN QUEENSLAND CORRECTIONS

The Terms of Reference require that I report on changes needed in the "public interest" in "efficiency", "management" and "design of Prisons". They go on to ask specifically the changes needed in the "allocation of resources by the department", the "adequacy of facilities", and the "... desirability of private sector involvement in ... the prison system".

The first issue is "what sort of business are we in?" I don't believe "we're in the Prison Business". We don't have a Minister for Prisons any longer. The answer has already been established. We're in "the Corrective Services Business" and the Minister is called the Minister for Corrective Services. We have to contain and supervise and correct where and if at all possible. That's what corrective services are all about. In past times prisoners were treated collectively in groups and prison officers were simply guards or wardens.

Today, with ever escalating costs of crime and punishment and changed philosophies in the management of offenders, individual assessment and containment programs for each prisoner is the only practical approach to the provision of corrective services. Prison staff today are required to interact with prisoners as well as guard them. Unless a prisoner shows himself to be intractable the public interest requires that positive rehabilitation and corrective programs should be provided.

There are humanitarian, community and economic benefits to be derived from such an approach. Guarding a prisoner and treating him as an individual can be difficult at times and in some respects the service suffers from a kind of managerial and operational schizophrenia in trying to both guard prisoners and correct them. But, in looking at the "efficiency" issues I have viewed both prisons and community corrections in the context of the two main streams of services they are required to provide—containment or supervision and correction.

Given the inter-linking of corrective services I needed to take an overall look at the system.

In response to the issues raised by this part of the Terms of Reference, very early in the Review I asked myself three questions:

- Is the quantity of resources allocated by the State for the purpose of Corrective Services adequate?
- Is the present system capable of utilizing and managing those resources efficiently and well?
- If the answers are in the negative then what changes are necessary?

This provided a succinct way to identify and focus on what needed to be addressed in the Interim Report. In very brief summary, under those three headings I made the following comments about the problems:

- first the availability of resources,
 - I said the system was showing all the symptoms of being run on a shoestring;
 - funding was inadequate;
 - I recommended a significant increase in the level of funding for corrective services;
- second, the organisation of Corrective Services,
 - I said that the present public service and divided approach to the provision of Corrective Services in this State had failed;
 - I argued for the establishment of a single community and staff involved statutory body capable of implementing necessary changes and efficiently operating the service;
- third, in terms of the way corrective services are presently being provided I said that there are problems of equity and efficiency in the treatment of offenders,
 - the Acts on which the operations of the system are based were outdated and as a matter of urgency required overhaul;
 - there are problems in the system of parole, and
 - access to protection from violence and access to basic justice for prisoners is inadequate.

As I have noted, my recommendations for adequate funding and for the establishment of a Corrective Services Commission were accepted almost immediately by the Government.

I will not repeat all the arguments or discuss again the nature of the problems and the changes required. They are all outlined in my Interim Report. They have been accepted and progress towards the implementation of those major recommendations is underway. However, in this part of my Final Report I briefly go over some ground already covered in order to place the earlier findings and recommendations into the framework provided by the Terms of Reference. As I have continued

to stress throughout the Review, the process is dynamic. Agreement to the Interim Report's recommendations has allowed development of further ideas and concepts. Each step leads to the next.

I have comprehensively examined the organisation, its staff and structure, its finances, its management, its skills, the services it delivers, the resources it utilizes as well as alternatives such as private sector involvement. I have looked at:

- the people who run the system,
 - how well organised they are for the responsibilities they have,
 - and how the Q.C.S.C. should be structured to provide the best delivery of services;
- the resources allocated to corrective services,
 - are they adequate?
 - are they used well?
- the role of the private sector,
 - can it inject competition and efficiency?
 - does it have a role in corrective services?
- the way our prisons are managed,
 - do they cope with our changing expectations of their role?
 - how can they be changed to improve their performance?
- the problems of security and corruption,
 - what can be done to reduce the current problems?
- the services provided,
 - are they sufficient?
 - are they efficient and effective?
- the range of correctional facilities available,
 - are they sufficient?
 - are they suitable?

In summary: I have examined the organisation in its broadest sense—I have examined prisons, probation and parole, home detention community corrections, head office, personnel, operations, management, systems, and structure, finances, objectives and purpose. This examination forms the basis for much of what follows in the later sections of the Report.

4. THE ORGANISATION AND ITS STRUCTURE

4.1 Problems in the Existing Structure

In my Interim Report I noted informed submissions were critical of the existing fragmentation of the service. For instance, Mr M. J. MacNamara, the Deputy Under Secretary at the time wrote:

"It would appear to be dysfunctional to have the custodial-based service separate from the community-based service. It almost seems they are in competition with one another."

(M. J. MacNamara, Deputy Under Secretary)

In that Report I noted:

- the separation of the two arms of the services;
- unclear authority,
 - the Comptroller-General of Prisons has legal authority for the administration of the prison system,
 - but the public service administrative arrangements make the Comptroller-General responsible to an Under Secretary;
- the incapacity of the organisation to really come to grips with many of the recommendations of the Inquiry by the late Sir David Longland into the Management Practices operating at H.M. Prison, Brisbane;
- the under-utilisation of community corrections;
- an "us" and "them" syndrome, not only between,
 - prisoners and prison officers,
 - but also between work-face officers and those of the upper levels of the Department; and
 - also between the community correctional and custodial arms of the service;
- conflict over the role of uniformed prison officers,
 - some see themselves as helping prisoners,
 - others believe prisoners are there only for punishment and as a result apply an approach which at times borders on harassment of prisoners;
- divisions in the ranks about the purpose of the system;
- an organisation incapable of achieving a common view of what the system is about; and
- unsatisfactory relations between sections of the prison officer's union and management,
 - with sudden industrial walkouts by staff occurring during the Review which left the community, and especially the staff required to manage the system, at risk.

I had no hesitation in saying that:

"The present organisational structure of the Department of Correctional Services and Administrative Services has demonstrably failed".

I said an organisation better able to cope with these problems was required. I stated in the strongest possible terms that the administrative and organisational arrangements for corrective services were unsatisfactory. To begin with the two correctional arms i.e. Prisons and Probation and Parole, needed to be combined into a cohesive organisation. Then a decision was needed on how to operate and manage a coherent system of corrective services.

I indicated that only four options for organising the management of corrective services existed. These were:

- Consolidation of the present system into a single Department of Corrective Services with a Permanent Head (now Chief Executive) as the sole accountable officer;
- Establishment of a Commission for Corrective Services outside and independent of the departmental structure, reporting directly to the Minister;
- Continuing with the present confused and fragmented organisational structure;
- Allowing the private sector to operate correctional services.

Continuing as at present was clearly unacceptable and my Interim Report outlines all the reasons.

The "privatisation" option needed detailed consideration as the Terms of Reference directed this be given specific attention. Total privatisation of corrective services in my view is not a practical answer at present. No country to my knowledge and certainly not this State is in a position to

contract out the total operation of its prisons. Therefore in the Interim Report I rejected the possibility of total operation of corrective services by the private sector.

Nevertheless, I also argued that there is place for private sector involvement. I advised I was continuing discussions with several major companies regarding their possible role. A later section of this report provides details of just how and to what extent this could occur.

Of the two options remaining, only one provided a satisfactory way out of the present problems.

A single department of corrective services would have gone some way towards addressing the present problems. But, on balance and bearing in mind the failure of the existing department to bring about real change following earlier reviews, I rejected this option. I recommended, therefore, the remaining option; the establishment of an independent statutory body.

I am of the view that a departmental structure is not as appropriate for implementing the rapid and sensitive changes needed in prison reform as a properly established community involved commission. Properly set up and staffed, a commission should combine many of the virtues of public sector administration with the flexibility, creativity, drive and commitment of a private sector corporation. In short, it can have the best of both worlds.

In reaching a decision, I looked into the situation in New South Wales where it had been decided to abolish a commission in favour of a department. However, its problems were built in from the start. Its structure was quite different from what I recommended. Also, in reaching my decision about the recommendation, I considered submissions from the Prisons Department, and the Queensland Probation and Parole Service that a commission is the way to go.

I also built in a major safeguard. I recognise that, if the benefits of a commission started to disappear, then a Department of Corrections may again be an appropriate organisational structure. Perhaps this is what has occurred in New South Wales. Therefore, I recommended that a "sunset clause" be part of the Act establishing the commission. I have inserted into the draft legislation the requirement that at the end of four and a half years, there be a review of its performance. Continuing with a commission will follow vigorous debate and can only occur as a matter of very deliberate consideration of the issues.

My recommendations were accepted and I expect a Queensland Corrective Services Commission can be operational no later than 1 January, next and hopefully earlier than that. I am hoping it can commence operations by 1/12/88.

I believe that the establishment of a Corrective Services Commission combining both Prisons and Probation and Parole in a single organisation will provide an organisational structure that will more efficiently and effectively manage the resources and services required and will provide a mechanism for change as the need arises. This should eliminate further inquiries and reviews of corrective services in the foreseeable future.

4.2 The Office of the Comptroller General

I can not avoid giving weight to the volume of submissions critical of head office of the Prisons Department. For instance the following comments are indicative of how head office is perceived by some, including people working there:

"The primary cause of the chaos . . . (is) bad management and lack of decisive leadership . . . the skills to manage and guide such a complex organisation are missing . . . Unfortunately, the public service syndrome of the surge towards promotion and higher status relegated commitment to the organisation—and the concern for its staff and prisoners—to second place at best . . ."

". . . games, the internal politics, the dishonesty, the deceit, the lack of decision and direction, and the lack of leadership when it was most needed . . ."

". . . The Department must get out of the crisis/reactive mode into a proactive mode . . ."

". . . (the) Department doesn't learn from its experience and reacts to crisis. Unco-ordinated entrepreneurship leads to cross-purpose. When in need, the Department's past poor performance mitigates against help by others, e.g. Treasury. The Department seeks to "restructure"—which often simply means to re-classify—but it doesn't change . . ."

". . . I realise these characteristics are apparent in most organisations to varying degrees, but their intensity in Prisons—when weighed against the responsibilities of the Department towards staff and prisoners—(is), in my view, verging on negligence, and unethical standards and behaviour of significant proportion . . ."

". . . Rumour is rife. Criticism is seen as disloyal and negative. Management does not appear to review its own performance . . ."

"... Unhealthy intrigue and blaming of others is rife. The institution staff blame "management"; head office management blames the superintendents and chief office; chief office blames head office. The problem is never openly confronted ..."

"... Head Office blames Superintendents for lack of action, criticises their intellect, and sees officers as entirely money motivated. In the institutions head office is seen as over-staffed, non-performing and out of touch ..."

"... As in many organisations with a negative staff orientation, evidence can be found of the following:

- Poor communication flow vertically in both directions
- Lack of common direction and goals
- Low responsiveness to need for changes
- Lack of focused attention on the things that matter
- Inability to respond to operational problems smoothly—lack of contingency management capability
- Excessive reliance on organisational hierarchies, with layer after layer of approval points through which an idea must wend before being finally accepted or rejected
- Feelings of remoteness, frustration and powerlessness of staff at all levels
- Laziness and inertia, resistance and anger at lower levels
- Inappropriate organisational structures and practices
- Goal incoherence ie. a lack of CREDIBILITY OF ACTION to support espoused goals, values and guiding principles
- Factionalism and competition at senior levels
- Active discouragement of delegation, with a lack of focus on results and over emphasis on "looking over the shoulder" of decision makers ..."

(Quotes from submissions received by the Commission)

Other submissions like these and many comments by senior staff express disquiet at the way the Prisons Department is operating.

Also, I have continually been drawing comparisons between my experience with small and large businesses in the corporate world and the way the prison system and in particular head office works.

I need to recommend only changes which will make it perform better. I want to make sure the new Q.C.S.C. can draw upon the strengths and experiences of the existing organisation and staff. On the other hand I need to make recommendations which will ensure the new organisation does not inherit the weaknesses that have plagued the present prison system. I needed to know which segments of the system are performing well and which areas are performing less so.

I have developed some serious reservations about the present organisation of the prisons service. I feel that not all the head office jobs represented "value added to the organisation". Also, as I have noted in the Interim Report and later in this report there was a lack of resources overall and some essential aspects of a "head office" just do not exist. I do not wish to reflect on individuals or cast aspersions on anyone's competence. I am talking about "the system". There are many excellent officers in head office who also suffer from the existing arrangements.

A real concern was that my basis for comparison of the prisons system may have been invalid. After all, prisons are said to have unique and complex problems.

To sort out the matter I obtained the views of Touche Ross, the management consultants engaged by the Commission of Review. Their full report is attached to this Report. However, they confirmed my views. They said:

"The structure of the Department is certainly not as efficient as one would wish. In particular, we refer to the confusion between the positions of Comptroller-Generals, Deputy Comptroller-General, and Assistant Comptroller-General. The titles themselves are confusing enough in that they do not clearly define responsibilities ...

... we understand that the Chief Superintendents of Prisons report direct to the Comptroller-General, whereas the Deputy Comptroller-General has reporting to him the four Assistants, who, however communicate directly on occasions with the Chief Superintendents. In this context, we can understand the position of Deputy being a very confusing one to the incumbent. We could also understand some confusion on the part of Prison Officials, as to who had and did not have authority within the Head Office.

... Even the best organisational framework is valueless unless efficient, competent people occupy positions, and if relationships are not properly defined ... we did find a great deal

of confusion as to the proper role of the Assistant Comptrollers-General. . . . In some instances incumbents saw themselves as staff people, while in others there appeared to be evidence of operational authority being assumed by people at the Assistant Comptroller-General level.

Our overall conclusion is that they [position descriptions] appear obscure, verbose, and ill defined. For example, where you have Position Descriptions describing the principal accountability of the job as sitting on a committee or liaison with other people, then managerial confusion is almost guaranteed . . .

We believe that titles are important in an organisation. We note that the term "manager" appears nowhere, but there appear countless supervisors, superintendents, and the like . . .

To have both a Deputy Comptroller-General and some Assistant Comptrollers-General seems an almost certain predictor of confusion . . .

. . . we can see a danger if Programs tend to become—as they could be at the moment—divorced from the custodial functions of Prison Officers.

In our view, the Programs function must be integrated into prison life, not be seen as something that Head Office imposes on prisons. The more that can be devolved to each prison, the better. Naturally, there is a need for some Head Office support and research, but we would favour a "lean and hungry" Programmes Department and a corresponding build up of the function in each prison . . .

Communications are perceived to be inadequate and communication within Head Office is not regarded highly . . .

More seriously, communications between Head Office and Prisons is seen as less than effective. People in responsible Prison positions find it hard to understand what happens in Head Office.

They also believe that most people in Head Office do not understand prison problems . . .

There also appears to be a need for more consultation before decision making."

(Touche Ross Management Consultants Report to the Commission of Review)

I am forced to conclude the present approach to management of the Comptroller-General's Office has isolated the head office from the actual work face. In many ways prisons, which after all are the primary function of the organisation and the places where the actual work of the organisation that taxpayers pay for is carried out, have been treated as, and been turned into, branch offices.

The vital links between the work face and senior management do not exist properly. Management is reflected only at head office. Management decisions are deferred to head office. Head office seeks to impose and intrude on even relatively minute decisions. It does this because, in the view of head office, the decisions being implemented at the work face are not appropriate. Similarly, the prison managers see "head office" as lacking in proper understanding of the "real world". Head office has developed a siege mentality. In the next section I cover the structure operations of the Q.C.S.C. I believe it will solve the problems.

4.3 The Queensland Corrective Services Commission

4.3.1 *The Board of the Q.C.S.C.*

In my Interim Report I stressed the need for the Board to be representational. Especially it needed to provide openness and needed to ensure the interests and views of the community are adequately catered for. I felt that suitable representation could be achieved with a seven person Board as follows:

- Chairman
 - A business person with a successful track record of management and experience with boards;
- Director-General of Corrective Services
- Five members representing:
 - the Staff of the Prison Service;
 - the Staff of the Probation & Parole Service;
 - the Churches and Welfare Groups;
 - the Law and Civil Liberties;
 - the Public Service.

A Board structure with seven members as recommended will work efficiently. However, I have had second thoughts about whether the Board might not perform even better if it were expanded

to nine members. The seven member Board structure may be deficient insofar as there would be some real value in having an Aboriginal or Torres Strait Islander person on the Board of the Commission. It may also be desirable to ensure there is sufficient representation of Queensland outside Brisbane.

I wrote to the Minister advising him of my thoughts. I will leave it to the Government whether it wishes to follow up on this suggestion.

The member from the Public Service would, I expect, be the Under-Secretary from the Minister's department. The Director-General should be the only full time Board member with an executive position.

Any temptation to appoint a full-time Chairman must be resisted. A full time chairman inevitably becomes involved in the day to day running of the organisation. The essential purpose of having an independent Board riding "shot gun" on the performance of the organisation is lost. The roles of Director-General and Chairman become blurred and the organisation suffers from the resulting conflict.

The problems of trying to combine both roles in the one position are exemplified in the book by Tony Vinson, the first Chairman of the N.S.W. Commission of Corrective Services. Although not intended as such it is really a text book on how *not* to set up and operate a corrective services commission.

When Professor Vinson says he personally raced around the prison service putting out the fires he meant it literally. He manned the barricades. He served the meals when staff walked out. He negotiated with the prisoners who were rioting. He issued fly spray to prisoners who complained about insect bites. As a full time chairman I believe he became too involved in day to day operations. A chairman needs to be independent. It is the Director-General's job to run the organisation. It is the board's task to decide if the job is done well and to replace or counsel the Director-General if it is not.

4.3.2 *Secretary to the Commission Board*

The Board will need a full time Secretary to organise its agenda, correspondence, meetings, and to ensure that proper legal processes are followed and to follow through the decisions of the Board. This position could be equivalent to a I-10 classification in the Public Service.

4.3.3 *Structure of the Commission*

My Interim Report set out a recommendation for an organisational structure for the Q.C.S.C. but did not provide full details. I was particularly addressing the issue of whether the Q.C.S.C. should be managed on a functional or a regional basis. I had received a submission from the Prisons Department arguing for regional management of services. I had further discussions with the Comptroller-General of Prisons where he continued to press strongly for the proposal. In the end I accepted the arguments of the Probation and Parole Service and recommended a structure that pushed the functional responsibilities directly to the workplace Managers, the Managers of the Prisons and the District Managers of the Community Corrections Service.

I have had ongoing discussions on this issue with senior management of the Department. The management consultants engaged by the Commission, Touche Ross, also addressed this issue. I believe there is now widespread support for a functional structure. Touche Ross, whose opinion I value most highly, commented:

"4.1 The proposed organisational structure as described on page 22 of the Interim Report of the Commission of Review into Corrective Services appears capable of overcoming all the anomalies that we have described. We repeat our concern that position descriptions must match, in precision any organisational structure. It seems vital at this stage that a great deal of care goes into the writing of these descriptions so that responsibility and accountability are properly "sheeted home" to the right people."

(Extract from Touche Ross Consultants Report)

(A full copy of their report is attached)

The new Corrective Services Commission will now establish itself on the preferred organisational structure as set out herein and the Implementation Committee will proceed to expand and develop the chart to include all other positions in the establishment.

4.3.4 *Head Office of the Q.C.S.C.*

The necessary response to the problems identified is to develop a very clear idea of what each position in the organisation is about and have the responsibilities and relationships correct from the start.

I have, in this Report, set out an overview of how the "managerial" positions should fit in to the organisation. In drawing this up I have had detailed discussions with public servants with a knowledge of the system, outside agencies, my Committee, management consultants, politicians, departmental staff at all levels and many others who have had to interact with the organisation and have a view about what is required. I also sought the advice of Dr Rick Andrew, a Management Consultant regarding what might be appropriate. His report to me is included in the attachments.

The Implementation Committee will be established as soon as this Report is completed. They will be responsible for advertising and filling the most senior positions. The Implementation Committee together with the five senior managers should then proceed to further develop the structure and prepare for its implementation. I would expect them to give considerable weight to the recommendations contained in the Touche Ross Report, the report by Dr Rick Andrew and my own synthesis of their ideas. The broad parameters for the new organisation I would like to see are set out below. However, the Implementation Committee should not feel strictly bound to this. It is a guide.

4.3.5 *The Operational Audit Bureau*

In seeking to advise the Government on what changes are required in the public interest, a continuing theme through my Review and Report has been the necessity to make the organisation accountable and efficient. Prisons and Corrective Services can no longer be seen to be separate from the community. In drawing up a structure for the Board of the Q.C.S.C., one of the chief requirements was to ensure that it had adequate community representation and that it had the powers necessary to open the system to scrutiny. In Section 7 of this Report, I will give details of other checks and balances in the system. Official Visitors and Inspectors are amongst these.

The organisational structure in my Interim Report contained a very brief reference to an Operational Audit Bureau. I see this Bureau as being another essential part of the Queensland Corrective Services Commission's ability to monitor how the organisation is performing and to be accountable for its performance. The Operational Audit Bureau should serve to ensure that the policy of the Board and the directions of the Director-General are followed both in spirit and in the letter.

I see the Operational Audit Bureau as being very small, perhaps only with a single line officer. That person might be designated the Manager, Operational Audit Bureau. A classification somewhere between I-10 and I-13 in the public service would be appropriate. The position requires a well qualified, experienced and committed person with demonstrated broad skills in and a flair for management.

Clearly, one person will not be capable of auditing the organisation. But auditing is one area where the private sector can very usefully be brought into the system. The Manager's task would be to supervise the operations of the consultants that would provide audit services. He would be alert to problems in the system. He would select targets for audit on a regular, random, and as-needed basis. He would ensure that reports reached the Director-General and the Chairman and the responsible line managers for action. He would follow-up to make sure that action had occurred. The Operational Audit Manager would also be responsible for calling tenders and supervising a contract between the Commission and the consultants undertaking an audit. I would envisage companies like Wormalds might be keen to tender for the carrying out of audits of security functions. Touche Ross has international experience in prison audits. Management Consultants may well look at personnel practices to ensure that prison managers were appointing appropriately qualified staff. Perhaps the Health Department would carry out health inspections, accountants would become involved in financial matters, perhaps a firm of lawyers might tender for an audit of internal disciplinary operations.

Touche Ross made some pertinent comments about the way the position should operate. Their comments, set out below, should be heeded:

"It is most important that the Operational Audit be seen as an audit job, not as a managerial one. Although the position is shown, quite properly, as reporting to the Director-General, we see this position as having a strong relationship with the Director of Custodial Corrections in particular, and also with the Director of Community Corrections. Any actions that take part as a result of an operational audit should be done through the Director level rather than through the initiative of the person carrying out the audit."

(Touche Ross International, Management Consultants to the Commission of Review)

This approach has enormous advantages. It will ensure those who check the system are totally independent of those on whom they report. They will have no old buddies in the system to handle too carefully. They will not make friends amongst the managers and become too accepting of practices which should be changed. The reputations of major companies will be on the line. They will do their jobs properly. The system will no longer be closed and secretive.

4.3.6 Deputy Directors-General

I am clear in my mind about the merit of having a Director-General with an "upward management" role. However, if he is supported by strong functional Directors, then I have had a feeling the positions of Deputy might be left vacant. Touche Ross in their report to me agreed for a position of Deputy Director-General to be filled.

"In our discussions with you and Mr Kennedy, there seems some doubt as to whether the position of Deputy Director-General would be installed. After some debate between ourselves, we recommend that it is a necessary position.

"We understand the danger of having a kind of sandwich position without authority. This could be something akin to the current Deputy Comptroller-General's position. However, we see the position of Director-General as being a very difficult one, and we also recognise that whoever occupies this position is going to have to demonstrate success in a very real way. If this position is concerned with Policy Formulation and Planning, and with dealing with not only the Board but various arms and wings of Government, then it may require the full time efforts of the incumbent to do these things.

"... if the Director-General has a full time job in managing up, we can see the need for a Deputy Director-General as having direct responsibility for the performance of the three Directors, and for integrating them into an organisational unit. This creation of a team with a unified purpose, is probably the greatest challenge inherent in the new proposed organisation ..."

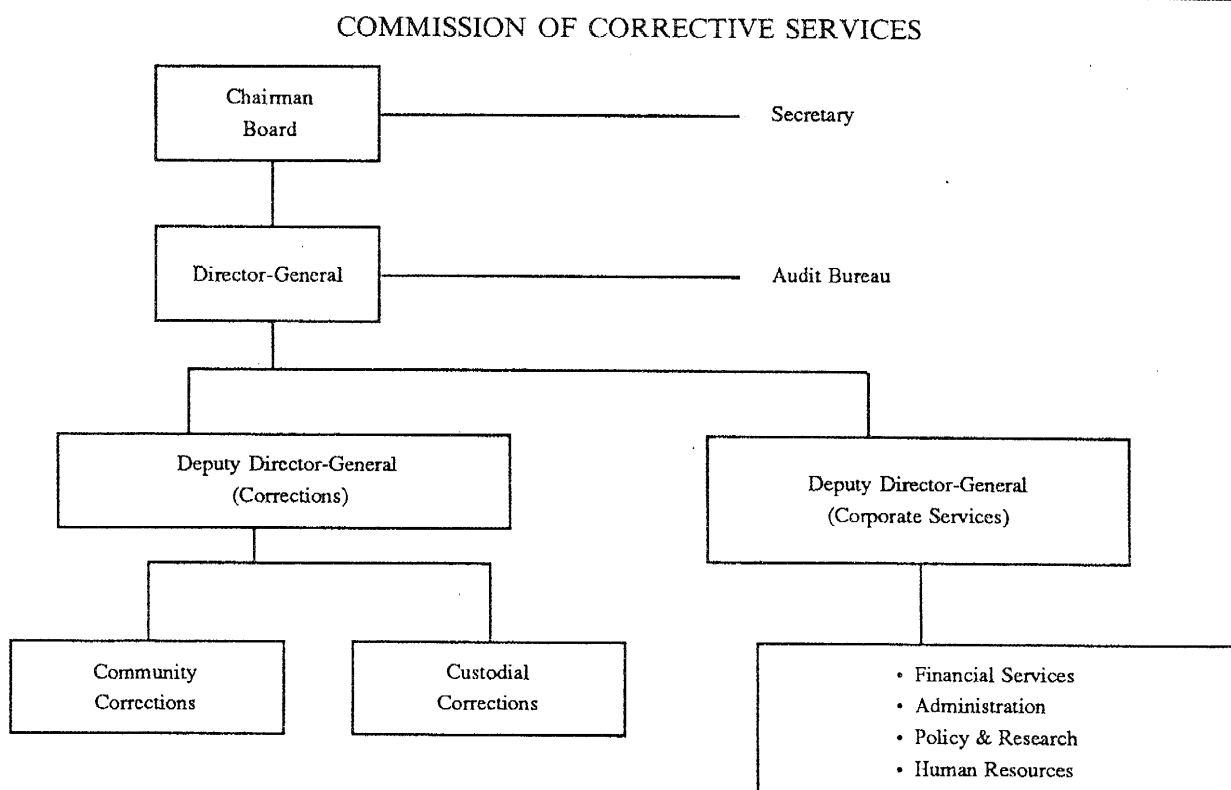
(Touche Ross International: Management Consultants Report)

Management consultants advising on the appropriate structure for the Commission have emphasised the need to develop the policy and management skills in the organisation. To provide the strong management orientation that is needed right now, I see a need for two positions of Deputy Director-General; one for Corporate Services, and one for Corrections. However, this is on provision that it is only for the period of hard work and implementation of the Commission in the early years. Ideally, the Commission should be able to operate without the position of a Deputy, and perhaps with three Directors, one for Community Corrections, one for Custodial Corrections and one for Corporate Services. Dr Andrew's advice was very much along these lines.

On that basis I have already recommended to the Minister that he set in train the steps to establish the five senior positions in the Q.C.S.C.

The organisational structure that should now be filled is set out as Figure 7.

Figure 7: Organisational Structure for the Q.C.S.C.



4.3.7 Deputy Director-General, Corrections

I envisage the Deputy Director-General, Corrections as a person with strong people skills, able to direct, coax and manage the system into adjusting into the type of operation envisaged by the Commission. The person will need to be alert to the strengths and weaknesses of the organisation,

to provide significant input into the senior management and policy development, and to provide the essential link between the two arms of corrections. The person will need to be a leader, a referee, a manager and a conceptualiser. The person will need practical skills to deal with the practical service delivery side of the organisation. The position will be responsible for two Directors.

In the next sections I will provide comments on the operations of the key functions within this structure of responsibilities.

4.3.8 *The Director of Custodial Corrections*

The Director of Custodial Corrections will have responsibility for the direct management of the prison system. Each of the prison managers will report directly to that position. For reasons I will cover later, responsibility for the Home Detention program and Release to Work Hostel should transfer to the community corrections arm of the Commission.

I am of the view that the process of transfer of prisoners between prisons should not be left to the whims of individual superintendents. This is really a matter for determination by an Head Office Assessment Committee. Therefore, as part of the Director's team, I see a need to appoint a Manager, Classification, Assessment and Transfers.

Later in this Report I will make reference to the need for someone with particular expertise in Aboriginal and Islander culture and welfare to be appointed to the Q.C.S.C. Such a person could well form part of the immediate staff of the Director of Custodial Corrections.

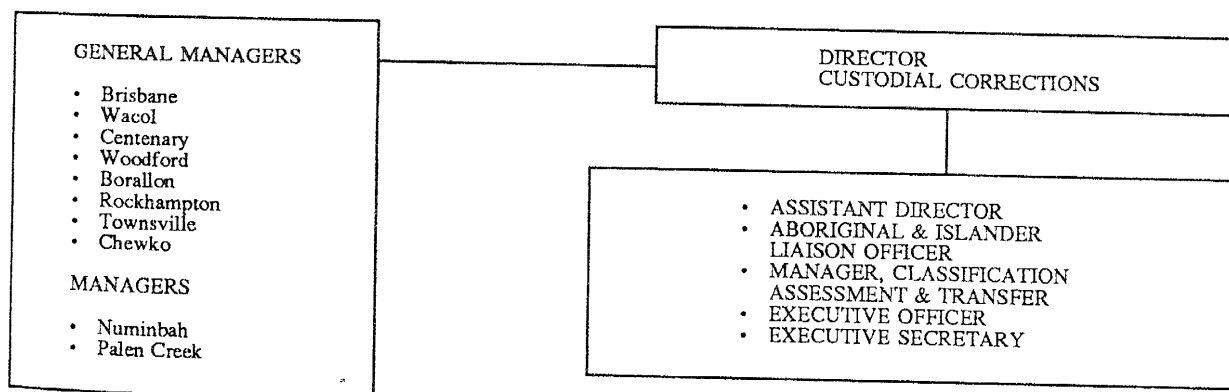
Other functions positions to be created to assist the Director include:

- Advisor, Food Services
- Manager, Health Service Delivery

The responsibilities of the office of the Director warrant a position of an Assistant Director.

An organisational chart setting out these proposals appears below.

Figure 8: The Responsibilities of the Director, Custodial Corrections



4.3.9 *The Director of Community Corrections*

I am reasonably happy with the existing structure of the Queensland Probation and Parole Service. It seems to be staffed by professionals and the current organisational structure is appropriate to translate over to the Q.C.S.C. without major change.

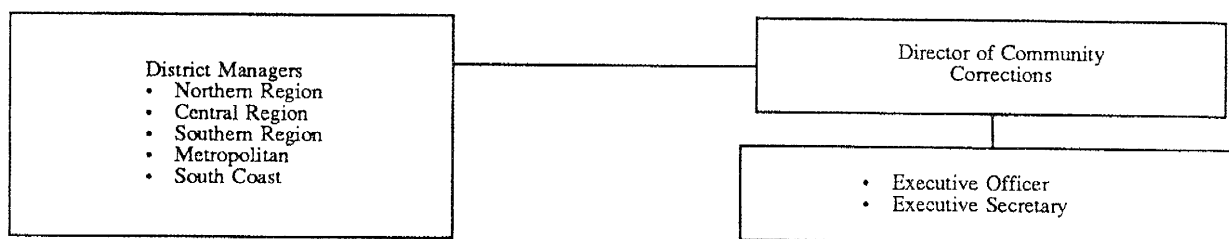
This is not to say the Queensland Probation and Parole Service is without faults. I do need to say that the availability, of research and training is not good. Also by way of some criticism I must

say that despite the professionalism of staff and their obvious dedication, taken as a whole, the organisation lacks what I would term a spirit of enterprise and innovation. It has not adapted well to changing needs in terms of providing enhanced community corrections. It has not inspired its staff nor the people it services or the magistrates and judges I have spoken to. It has not explored and tested the limits of its mandate to be the government agency for providing community corrections. It has failed to win the resources necessary to do its job well and adapt its role.

I want this to change. I am recommending as soon as possible the immediate transfer of the Home Detention Program and its personnel and management and the operation of the Release to Work Hostel to the Community Corrections arm of the new Commission. Day to day control should become the responsibility of the nearest Area Supervisor. I have drafted the legislation in such a way to ensure that this occurs. The Implementation Committee can give thought as to how this might be achieved as soon as the Q.C.S.C. commences operations. This growth in responsibilities will provide a greatly needed shot in the arm for this side of corrective services. I also believe, as canvassed later, that there is a cost effective role for private enterprise in the monitoring of prisoners on home detention.

The present Probation and Parole Service has three District Managers. Dr Rick Andrew, in his report, argued that key growth areas on the South Coast are "under managed". The District Manager based in Townsville has an impossible area to cover. The situation may be satisfactory if the District Manager is going to be an occasional supervisor, or an ivory tower head office operative. It is not good enough if District Managers are expected to actually manage. I accept Dr Andrew's suggestion for the service to be structured as follows:

Figure 9: The Office of the Director of Community Corrections



The location of the District Manager in each instance and the centres he will be responsible for can best be determined by the Q.C.S.C.

Under the Q.C.S.C. environment, it may turn out that the Director of Community Corrections does need an Assistant Director given also a transfer of responsibility for Home Detention and Release to Work. I envisage the legislation I am proposing will require an increase in the resources allocated to community corrections. However, for the moment, the Director of Community Corrections, together with the District Managers, should form a cohesive and adequate hands-on orientated team.

I received a submission from the District Manager (Metropolitan) Mr Ken Bradshaw, suggesting the creation of new and higher paid groups of Probation and Parole officers. I understand the public service term for this is "re-classification".

He submitted:

"Establishment of several grades of Probation and Parole Officer (Community Corrections Officer would be a better title), each attracting a different salary, each requiring different admission qualifications and each responsible for caseloads of different size and risk category will allow larger workloads to be processed with little if any increase in cost and staff establishment. In a three-tiered system, the best qualified and best-paid staff would in the main have low caseloads of high risk offenders (20%), middle level staff would have moderate sized caseloads of medium risk offenders (40%) and the lowest qualified and least-paid staff would have high caseloads of low risk offenders (40%). At present, all Probation and Parole Officers carry the same caseloads in theory."

(Submission by Mr Ken Bradshaw, District Manager, Metropolitan, Qld. Probation and Parole Service)

Recommendations regarding pay and conditions for *all* parts of the service is an issue that should best be left alone until the Q.C.S.C. finds its feet. These issues should be looked at when the Commission negotiates a new Corrective Services Award. I do not envisage any structural changes below the level of District Manager at this time.

4.3.10 Deputy Director-General, Corporate Services

As a corporate entity, corrective services in Queensland has major problems:

- the system has lacked the capacity to find a proper direction;
- it has not argued effectively for the necessary resources;
- it has not put in place policies and procedures in a properly understood format;
- it is unable to research the difference between effective and ineffective programs;
- it cannot test its efficiency;
- it has not provided training programs capable of providing its management skills;
- its personnel practices are not identifying tomorrow's leaders of the system; and
- it is in the dark ages with computers and information systems.

The corporate management and services area needs a total and thorough overhaul. A strong Deputy Director-General, Corporate Services is needed to shake the system up. The person for this key job needs to have a strong business orientation, be a capable manager of people and systems, capable of making things happen fast, and especially, the person needs some understanding of how research and policy development should be linked to give direction to a hard driving organisation.

There are four key responsibilities that should report to the Deputy Director-General of Corporate Services. These are:

- Financial and Accounting Services;
- Administrative Services;
- Forward Planning; and
- Human Resource Management.

The functional responsibilities of the Assistant Director in charge of each area would be:

- Assistant Director, Financial and Accounting Services
 - financial accounting
 - managerial accounting, and
 - investments;
- Assistant Director, Administrative Services
 - administrative systems,
 - records,
 - purchases,
 - computer services, and
 - sales and market development;
- Assistant Director, Forward Planning
 - library resources,
 - policy and strategic projects, and
 - research;
- Assistant Director, Human Resource Management
 - staff development,
 - personnel, and
 - industrial relations.

I would want the head office and corporate services area of the new organisation to run "lean". My suggestions will ensure this eventually occurs. However, it will take a little time to shed some of the fat and dead tissue. Some essential functions are not presently carried out in any depth. At least four areas come to mind. Their absence is indicative of the past neglect of corrective services. These include:

- Library Resources
- Research
- Computers
- Policy and Forward Planning.

Staff for these areas will be required. The organisation will then have the capacity to accommodate some future growth without a corresponding growth in head office numbers.

RECOMMENDATIONS ARISING FROM THIS SECTION

It is recommended that:

- 6 • The Chairman of the Board of the Q.C.S.C. be a part-time appointment; and
- in addition to the seven person structure contained in the Interim Report, consideration be given to the creation of a nine person Board, with one of the two additional positions to be filled by an Aboriginal or Islander.
- 7 • The structure for the Q.C.S.C. outlined in this Report be established and filled as soon as the legislation allows.

5. THE MANAGEMENT OF CORRECTIONS

5.1 The System is Not Well Managed

As the Review progressed it became clear to me that many of the problems identified were the result of a lack of *Management* skills right throughout the entire organisation. The neglect of management is now showing its effect. The conflict between the two streams of the service, corrections and security, really has arisen because their integration and co-ordination has not been managed well. We need to "introduce" a third concept to our model for prison administration. This is professional management. Professional management is needed to produce the results.

Considerable resources of people, money and assets are tied up in the provision of corrective services, yet experienced management skills are almost totally lacking. Management is happening almost by accident. Most senior staff are experienced and/or qualified to be custodial prison officers or psychologists, or welfare workers, or public servants. But qualified and experienced managers are scarce. The prison service has modelled itself on the military with a ranked hierarchy, but, unlike a modern army, it has failed to train its officers to acquire the skills necessary for executive office. This shows in the way the system is organised and the way it works.

When I examined Head Office, it became apparent, as Superintendents have emphasized to me, that *day to day* decisions are being increasingly made at head office away from the workface. We need to put on-site management back into the prisons where it belongs. We should delegate management functions to the lowest appropriate level. Much more management can be done more efficiently at the prison. Managers of prisons will need to operate within policy guidelines and under the over-all control and monitoring of Head Office. A prison Manager should be allowed to manage.

I rejected the concept of Regional Managers, or Regional Directors, or Regional Deputy Comptrollers-General, call them what you will, for the north and south of the State. Head Office should provide policy and procedures, auditing and monitoring, financial control, human resources, research and administration and overall guidance and control. It should not totally dominate the organisation. There is a total restructuring of the organisation about to go ahead. This includes amalgamation with probation and parole. This demands a new approach by head office—one of support for the roles and duties of those who manage and provide the actual service delivery. The front line is where its all happening and that's in the prisons and out in the community.

The organisation structure for the prisons reflects the lack of emphasis on management. I was provided with charts that did not reflect actual responsibilities. Titles on charts are not those used in the field.

The very important programs units in prisons are poorly integrated with the ethos and structure of the prisons. There is no real attempt to evaluate how superintendents perform. They come in to their management jobs with a background of years as prison officers and suddenly they are expected to operate very large and important organisations. There is no preparation for this, no training, no guidelines to follow, little support by way of a management team, little redress if they do not perform and few rewards if they do perform. Indeed I have seen a tendency to promote people who do not perform and on criteria other than ability.

When I look at Brisbane Prison, excluding the Women's Prison, I find there is a Chief Superintendent, four Superintendents, four Deputy Superintendents, and six Chief Prison Officers. This is a total of fifteen "managers". What does everyone do in Brisbane Prison? Some people tell me many of these "managers" do little more than hear prisoners requests for sunglasses, extra letters, extra visits etc. They are really not managers. They do what their title says, and that is they supervise and they are therefore superintendents.

There are major areas of the prison administration where we should be making surpluses but we are not. Suppose we gave a good farm manager out in private enterprise a piece of prime, lush grazing country with the capacity to grow good crops. Suppose we supplied him with *free* labour and *free* machinery and sheds and irrigations systems, electricity and interest *free* loans and supplied his planting needs. Wouldn't you expect that he could make a profit?

One prison officer came to see me and expressed his frustration with the system. I asked him to put it in writing. I quote his reply at length. It is a positive indication of maladministration and strongly indicates the need for superintendents of prisons to be trained as managers. It also seems that all promotions and transfers of staff should be vetted through a single Human Resources Department. *Ad hockery* seems to be the name of the game at present. This submission is blunter than most but it is only one of many.

"After initially serving my probationary period and being appointed to prison officer, I decided to apply in writing for either relieving work, or a position in home detention. After addressing

the application to the (then) current Chief Superintendent, I made arrangements to have an interview with Mr G. Murray who is presently still a supervisor with home detention. We discussed what the job entailed, and I was informed that there were no vacancies, however when they received my application, they would place it on file. I was also told to keep in touch in case any vacancies became available in the future. Over a period of time, I rang the home detention office several times, but was always told there were no vacancies and that there was no indication the numbers were going to be increased.

It wasn't until approximately a year later when I originally applied, did I speak to one of the supervisors from home detention visiting Brisbane Prison. I was advised by that person to try and contact home detention again as there were indications the numbers would be increased in the not (too) distant future. That same day, I rang home detention, and asked if they could pull my application out, as I was still interested in being a part of home detention in some capacity, either relieving or fulltime. I was less than amused when told they had no application on file from me. It was suggested to me that if I was still interested, to submit another application. I did this, only after going through the correct procedure of speaking to my divisional superintendent, Mr Crisuffulli, who in turn was very co-operative and sympathetic to my predicament. He took photocopies of the now second of my applications, and added his own brief correspondence to it, so that there was no possibility of it falling into the wrong hands. You will find accompanying this letter a photocopy of that application. Mr Crisuffulli recommended I ring home detention after two weeks and take it from there. After two weeks had elapsed, I spoke to a Mr O'Leary from home detention, who told me they had still not received any application from me."

(Extract from letter from Prison Officer)

The frustration this officer is experiencing is due to the lack of professional management and efficient systems.

The lack of competent and experienced management is not an unusual situation in certain specialized types of organisations. Some years ago many senior management positions in most airlines such as Qantas were filled by former pilots. It was eventually realised that the efficient management of a large and complex organisation required qualifications and experience quite different to those required to drive an aeroplane.

It was not very long ago that hospitals were run by doctors. It just seemed the natural thing to do. But when resources required for a modern public hospital service became substantial, professional management moved in and practicing doctors were left to do what they do best—attend to the sick.

Actually, the title "Superintendent" really reflects the whole problem. It represents discipline, not management. It is no longer appropriate to the modern corrective prison environment we are trying to create. Permanent Heads in the Public Service are now Chief Executives. The old system has changed forever, and accountability for the efficient performance of the department is placed fairly and squarely on its "Manager" who is under a contract of employment. The Savage report and the new Public Service Administration Act makes this clear. This whole approach must flow down to the operation of the major units of the prison service.

Before 1985 some of the prisons in one Australian state were the responsibility of people titled "Keepers". In Queensland they're called "Superintendents". Surely prisons in Queensland should be *managed* not "Superintended". Similarly, "Comptroller-Generaling" in Queensland should have gone out with bustles, hoop skirts and "keepers" of prisons.

I am of the belief that the existing organisational structure at the prison level is seriously outdated. The way prisons are run, the way staff resources are organised, the whole ethos is like something out of Dickens. Poor-houses have Superintendents. Prisons are complex and expensive human institutions. Their management requires the skills of a financial administrator, a human services organiser, an industrial negotiator, and a production manager. It is no longer good enough for the person in charge of a multi-million dollar operation such as a prison to sit there and be a superintendent. We need to change the culture, so that people running the prisons recognize they are in the business of management. The skills, background, and training for the present superintendents is the general containment of prisoners. The skills required in today's environment are much more complex. In South Australia they created a position of Manager of each of the prisons. Really, this is far too light a definition. The responsibilities are far more important.

5.2 Need for General Management of Prisons

At the end of this section I will set out the changes I see as required to improve the management of the system. The recommendations following this discussion have been consolidated in the draft legislation.

Prisons are no different in the need for professional management from a factory, the administration of a town, or a major hotel. The title of "General Manager" better reflects the position I have in mind with responsibilities for a complex correctional organisation in this latter part of the twentieth century. It reflects the changing role of and the changing demands on the individual. *It is not a matter of semantics.* General Managers manage other managers. They should manage the managers of security, programs, personnel, administration and finance etc. The costs of running a correctional system are now so enormous that we need managers who are conscious of the cost component.

Corrective services must be managed at all administrative levels by competent experienced and qualified people who understand the organisation preferably through experience at other levels within it. Clearly "home grown" managers are totally acceptable provided they have advanced their skills beyond those gained as a Prison Officer or Parole Officer or whatever part of the functional stream they were involved in. However, apart from exceptional cases, formal management qualifications should be a pre-requisite for promotion beyond Chief Prison Officer or Area Supervisor in the community corrections area.

Similarly to being a prison officer or a psychologist or a probation or parole officer or welfare officer or a counsellor or an education officer or a farm officer, there are certain specialised skills and training required to be a manager. It is a quite distinct and separate profession in its own right. It is not a naturally acquired skill that just about anybody can do.

Therefore, it should not be the sole prerogative of prison officers to manage a prison. Prisons can be managed by qualified people within a whole range of disciplines and experiences. This is not a criticism of superintendents, either now or in the past. It is a reflection of the changing role of their duties. I have had on-going submissions from prison officers asking, "What kind of courses and experience do I need to get on in my job?" I am saying that if they want to get to the top executive jobs, then they need management skills. The importance of proper management skills must be fully recognised in corrective services and *job descriptions should reflect this.* Management appointments must no longer be simply the end process of years of service.

I would expect the General Manager of an institution to be on a contract equivalent to a I-15 in the public service. This compares with the present classification of superintendents of I-11 to I-13.

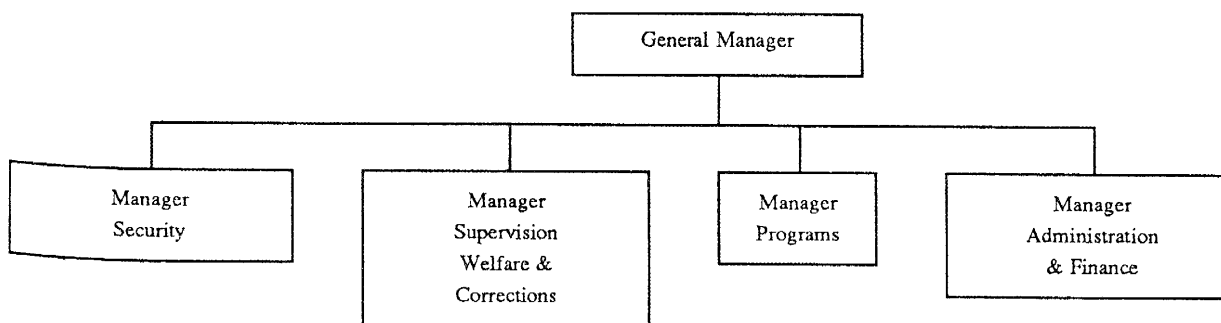
General Managers need to have the authority and responsibility to run the organisation. Head office exists to:

- set the standards;
- measure the attainment of the standards;
- ascertain the efficiency of the General Manager;
- provide advice and training;
- approve and renew contracts for General Managers based upon an assessment of their performance;
- acquire and marshal the necessary resources;
- establish policy and procedures; and
- provide overall management.

5.3 Doing Away With Deputy Superintendents

Set out below is how I would see the operations of a prison being re-organised by the Q.C.S.C.

Figure 10: A Suitable Organisation for Prisons



The description of General Manager should replace Prison Superintendent. I have met Superintendents who can grow into the role I have in mind with training and the right guidance. However, the position should be on contract with very clear performance specifications written into the contract.

The prisons would be then managed by four key Managers with clear functional responsibilities. These are:

- Security;
- Supervision Welfare and Corrections;
- Programs; and
- Administration and Finance.

The structure I have in place does away with the need for Deputy Superintendents and equivalents apart from a few special exceptions. The Manager, Security, is a traditional and well understood role in prisons as is the position and role of Manager, Supervision, Welfare and Corrections. However, Management in two other key areas needs strengthening by the appointment of people designated as managers. The position of Administration Officer no longer reflects the complexities of personnel matters, administration, industrial relations, and financial organisation. It should be replaced by a position of Manager, Administration and Finance.

With the increased emphasis on corrections and rehabilitation programs and the desirability of transferring more management to the prisons from head office, and especially the still inadequate integration of programs into prison operations, then a Manager, Programs should be appointed in each prison.

5.4 Role of Chief Prison Officers

I have received submissions regarding a plan for the Prisons Department to do away with the position of Chief Prison Officer and Senior Prison Officer and appoint Principal Prison Officers to replace them. Many Prison Officers and the Queensland State Service Union argued against this concept. I cannot find strong argument for the proposal apart from a desire to flatten structures. I do not agree with the concept.

In fact, I believe the role of the Chief Prison Officers should be reinforced. Chief Prison Officers are really the sergeant majors of the organisation. All staff tell me the Chiefs run the prisons. Good Chiefs make good prisons. Yet this position is to be done away with. If anything the position of Deputy Superintendent has mushroomed in recent years and has not added value to the Prison Service. The structure I am recommending would do away with the positions of Deputy. The position of Chief Prison Officer needs to be reinforced, not weakened. The position of Chief Security Officer and Supervisory Officer would then become the most senior uniformed rank in the prisons.

5.5 Change in Direction and Terminology

In the previous sections I have indicated the need to:

- revitalise the system;
- change the vision of its managers; and
- change the titles to reflect the new responsibilities.

As part of this change, I think it is time we took "Her Majesty" out of our prisons. Her Majesty's Brisbane Prison is no longer the title that reflects what we are on about. Norma Jean changed her name, Monier changed theirs, I was associated with the change from Post Master Generals Department (P.M.G.) to Telecom and Australia Post; and the selection of the name Pacific Dunlop to reflect the global role being taken by one of Australia's largest companies.

The prison system needs a similar change. It does not need debate. The changes needed are obvious. I have discussed some of them. The rest are shown in Figure 11.

These changes are adopted in the legislation.

Figure 11: A Change of Image—The Terms to be Used

Old Title	New Title
Prisons Department	} Queensland Corrective Services Commission
Probation and Parole Service	
H.M. Prison Brisbane	
H.M. Prison Wacol	
Wacol 2	
H.M. Prison Borallon	
H.M. Prison Woodford	
H.M. Prison Rockhampton	
H.M. Prison Townsville	
Far North Queensland	
Release to Work Hostel	
Probation and Parole Service	
Probation and Parole Office	
Prison Officers	
Chief Prison Officer	
Deputy Superintendent	
Administration Officer	• Discontinued
Superintendent	• Manager Supervisory Services
Comptroller-General	• Manager Security Services
Chief Probation and Parole Officer	• Manager Programs
Community Service Co-ordinator/Supervisor	Manager Administration and Finance
Probation and Parole Officer	General Manager
	Director, Custodial Corrections
	Director, Community Corrections
	Community Corrections Supervisor
	Community Corrections Officer

RECOMMENDATIONS ARISING FROM THIS SECTION

It is recommended that:

- 8 • The concept of Principal Prison Officers not proceed;
- the position of Superintendents be replaced by functional Managers;
- prisons be placed under the control of a new position to be termed General Manager;
- a position of Manager Administration and Finance be created in each prison;
- a position of Manager Programs be created in each prison;
- to the maximum extent possible, responsibility and authority for the operation of that prison devolve to the General Manager;
- the position of Deputy Superintendent be abolished;
- Prison Officers become Correctional Officers;
- Prisons be titled Correctional Centres;
- Superintendents be titled Managers; and
- Probation and Parole Officers become Community Correctional Officers.

6. SECURITY IN PRISONS

6.1 Issues of Efficiency and Security in Prison Management

In looking at the "efficiency and management of prisons" as required by my Terms of Reference, it is impossible to avoid looking at how well the system manages security. After all, one of the primary functions of the organisation is to provide secure containment of the prisoners along with their correction.

I have had briefings from senior staff, staff responsible for security in the prisons, police, prison officers and prison superintendents. I cannot escape the conclusion that security needs better management and that security is compromised by corruption amongst some staff. I will provide more details later on this problem and the actions I have taken, and recommended be taken. For the moment I am indicating there is a management problem.

In this section I need to say that one of the primary purposes of imprisonment is being compromised by corruption. In this area of service delivery, the prison system is most certainly not efficient and well managed.

6.2 Security Should be Everywhere

When I fly around Australia or overseas as I do regularly, my luggage at airports is routinely searched. I am searched with a metal detector. No one is embarrassed. It is routine. It happens to everyone. It is expensive in terms of staff, time and the equipment and design of the airport terminal. Yet, when "Joe the Solicitor" or "Henry the Prison Officer" enters a prison there is no search, no checks, no security. The consequences are serious. Drugs enter the system, organised crime continues to flourish and the purposes of imprisonment are in part defeated.

These kinds of systems need to be put in place. Other indications of problems are:

- Dog squads are underutilised and poorly integrated into the structure of prison life;
- There is a reluctance to do serious searching because of a possible prison backlash;
- Disturbances grow into riots because of an inability to respond, lack of management in riot control and supervision;
- Staff are known to be corrupt and are tolerated;
- Security systems are poorly implemented and are hence ineffective;
- There is little systematic management of the system at the prison to attend to problems;
- Because all Prison Officers are supposed to be responsible for security, no one person is actually accountable for performance in this area.

There is a resistance and inability in the system to firmly root out corruption. Visitors to prisons, both official and prisoners' friends and family are stated to be bringing in contraband. Again the system is not well equipped to deal with this. From my observations security at gates and for visits is practically non-existent—even in so called high security prisons. Prisoners are rarely searched properly. Visitors are not searched. Metal detectors are not used in a routine way. Officers and others carry bags in and out. Prisoners' visitors are not properly monitored. There seems a reluctance to check professional visitors. Drug dogs are never present at gates. There is no systematic attempt to entrap those who are corrupt. Corruption goes on and has for years. Serious confidential allegations have been made to me. Action must be taken. In a later section I provide more details of this problem.

The appointment of a Manager, Security, in each prison, as shown in Figure 10 (Section 5.3) must be recommended as the only way to have the systems managed and problems attended. With this appointment, at least someone will be accountable.

6.3 Establishing an Internal Investigation Unit

In New South Wales a special Internal Investigation Unit (IIU) of over 100 officers was formed to combat corruption. Mr Ron Woodham, the officer who established the IIU, told me that once they became operational he was amazed at how widespread and entrenched he found corruption among officers in New South Wales to be. Some provincial prisons he thought would be "clean" actually had relatively higher levels of corruption than the larger prisons. He advised strongly that if a similar Unit was formed in Queensland its first priority should be to investigate corruption among prison officers. He told me he was sure significant problems existed throughout Queensland. His comments and examples were sobering and even frightening.

He said that in his experience, factors which led to an officer becoming corrupt are:

- intimidation (by prisoners or their associates);
- financial gain (graft for providing an illegal service to a prisoner);
- sense of power; and
- personal association (romantic attachment, homosexual or heterosexual).

The New South Wales IIU uses under-cover surveillance to observe movements and associations, including prisoners on leave or work passes, or on supervision in the community, and off-duty staff. Other investigations carried out by the Unit include assisting Federal Police in some aspects of their cases, and prison officers on Workers' Compensation benefits. The IIU works closely with an EIU (External Investigation Unit) operated by the Police Force of N.S.W. which is similar to the proposed Police Liaison Unit recommended in my Interim Report.

Mr Woodham believes the level of corruption has dropped significantly since the IIU commenced operating.

I think it is essential that an organisation as large and diverse as Queensland Corrective Services, dealing as it does with persons who operate outside the law, should have the capacity to investigate itself. An Internal Investigation Unit, similar to that of New South Wales, is an indispensable part of managing such an organisation.

The IIU needs to be completely autonomous, and answerable directly to the Director-General of Corrective Services. It should remain separate from the Police Prison Liaison Unit, but co-operate with it as the need arises.

I understand the Queensland Government is considering establishing a Commission on Corruption. If this proceeds, the relationship between it and the IIU would need to be well defined. Similarly, a working relationship between the IIU and the Operational Audit Bureau would need to be formed.

By its very nature, a Unit such as the IIU would tend to become very powerful in the organisation, and there need to be checks and balances to ensure it is properly controlled. The IIU should be headed by an officer of the rank of Manager, and only officers of impeccable credentials should be selected for its staff. The nature of the Unit's work will mean the Unit itself, and individuals in it, will be subject to close scrutiny and investigations from time to time. Such investigations must be undertaken by people independent of the Unit, such as police or ombudsman staff.

The IIU must operate, and be seen to be absolutely beyond reproach, and subscribing to the highest ideals. N.S.W. has offered to assist in establishing the Unit. Their willingness to co-operate is much appreciated.

Appropriate resources will have to be provided. Security of records and equipment is of the utmost importance. Protection of prisoners giving information is another consideration. This means the Unit must have accommodation which is inaccessible to anyone except its members. It must be provided with equipment to gather information and evidence.

The geographical spread of our prisons, and the need for mobility in pursuing an investigation, mean an appropriate number of vehicles needs to be allocated to the IIU.

6.4 Testing for Illegal Drugs

We are living in a society beset with major problems associated with illegal drugs. Diseases related to drug use such as A.I.D.S. and hepatitis are on the increase. Crime is increasing with offences related directly and indirectly to drugs being recorded.

Drugs have entered our prisons, bringing with them all the problems, but in a more concentrated form. Normal security measures have failed—known drug users and traffickers enter prison, yet Corrective Services are not empowered to test inmates suspected of taking drugs.

This causes severe management problems. Prison employees are being corrupted into carrying drugs for prisoners, visitors attempt the same thing, and sub-cultures using stand-over tactics are formed among prisoners.

The direct influence of drug-trafficking and the actions of users desperate for a "fix", all have the potential to increase prison tension to the stage where serious disturbances could result.

I believe it is absolutely imperative the Q.C.S.C. has the power to test for drugs. Modern prison administration can not function without it.

Managed properly, an effective drug testing programme will not only identify users to stop their activities and those of the traffickers, but will also act as a deterrent to those who might be tempted to become involved with drugs.

RECOMMENDATIONS ARISING FROM THIS SECTION

It is recommended that:

- 9 • A Manager, Security, be appointed in each prison to be responsible for overall performance of security systems and personnel in each prison.
- 10 • An Internal Investigation Unit be considered, its purpose being to investigate incidents of corruption, unlawful activity and organised crime in Queensland prisons, and any such other related matters as from time to time may be considered necessary for the good order and conduct of prisons or to assist the law enforcement agencies of the Commonwealth and States.
- 11 • Testing for illegal drugs and other prohibited items be incorporated in the Q.C.S.C.'s management practices; and
 - the legislation be drafted to specifically empower the Commission to carry out the sampling.

7. CHECKS AND BALANCES IN THE MANAGEMENT OF CORRECTIVE SERVICES

7.1 Introduction

The very nature of corrections and prisons engenders strong emotional responses. The system has immense powers over those who are imprisoned. A Government instrumentality, should be accountable to the general public it serves. Yet prisons have been closed and secretive. Who knows what goes on behind the closed doors and walls?

These factors dictate that Corrective Services should be open, and its activities subject to scrutiny. In the past, there has been a reluctance to release information or discuss controversial matters. This naturally leads to suspicion and allegations.

Staff are generally unhappy with the perception of their role by the general public. Many submissions from prisoners, legal and welfare groups complained of the lack of an acceptable grievance procedure. I believe such sentiments are the result of the closed nature of the Department. There is distrust and lack of confidence in the prison service.

Bishop J. J. Gerry of the Catholic Church wrote in a submission:

"An informed community will demand that their Corrective Services System be accountable for its policies and activities. The present closed nature of our institutionally based corrective services system does not foster accountability."

The Corrective Services of the future must be open, and must avoid a secretive style of operation. A series of checks and balances need to be woven into the very fabric of its structure to ensure self-regulation.

A considerable amount of power can devolve to some staff which makes monitoring essential. The general public, prisoners, staff and specific interest groups must be confident that the standards of performance, the treatment of prisoners, and many other factors concerned with the integrity of organisation, are properly maintained.

The recommendations contained in this Report will put in place processes which provide checks and balances which will regulate the operation of the Q.C.S.C.

7.2 Accountability of Commissioners

Legislation governing the Commission will ensure Commissioners are subject to any direction of the Minister, and are accountable to him for the proper functioning of the Commission.

The Board has authority to delegate responsibility to staff; and require reports on that delegation.

7.3 Representation on the Board

People representing groups and sections of society with particular interests in corrections are included as Commissioners. These include church and welfare groups, a barrister or solicitor, and staff representatives.

7.4 Audit Bureau

An audit bureau will be an integral component of the Commission's structure. Its function will be to provide continuous surveillance throughout the organisation to ensure Commission Policy procedures and standards are maintained in all levels of management.

7.5 Inspectors

The changes to legislation that were in the process of being developed when this Review was established included provision for the appointment of Inspectors. I have adopted this proposal in the Draft Bills prepared by the Secretariat. The Commission will have legislated power to appoint Inspectors to investigate or inspect any facet of the Commission's business. Inspectors will be given appropriate authority with specific powers, and will be answerable to the Commission.

I would expect Inspectors to be appointed to investigate and report on specific issues. Investigations into disturbances, escapes and assaults are what I have in mind. They would not be carrying out criminal investigations. These are for the police. Inspectors would be expected to address issues such as what happened, why it happened, what can be done to prevent a recurrence, what can be done to provide a better response if there is another such incident?

7.6 Official Visitors

The legislation being prepared by the Department incorporated the concept of Official Visitors. This followed on from Sir David Longland's enquiry into Brisbane Prison. I totally endorse this concept. It is embodied in the Draft Bills we have prepared.

Prisoners will have access to Official Visitors to lodge complaints. Two Official Visitors will be appointed to each prison. They will be independent of the Commission and, if they wish, of each other. One will be a qualified barrister or solicitor.

Official visitors will report directly to the Commission. They will not have the power to overturn management and disciplinary decisions. But they will have the power to question and probe, to make up their own minds on the fairness of the system and the appropriateness of decisions. They will have the power to report and to recommend. It will be open and will provide a major check on the system. Official Visitors will be a part of the new system of openness to public scrutiny.

7.7 Disciplinary Process

Disciplinary procedures for both staff and prisoners will regulate breaches of standards and rules and regulations.

7.8 Accreditation Courses

Accreditation will be required for any staff employed by the private sector on Q.C.S.C. business. This is to ensure that private employees meet suitable personal and operational standards for their participation in corrections. This will be an essential aspect of ensuring standards of private sector operators is high.

7.9 Police Prison Liaison Unit/Internal Investigation Unit

I have discussed these units in detail elsewhere in my Report, but mention them here because they will be very important components in the Commission's self-regulation process.

The Unit's activities, while operationally low-key, will nevertheless be among the most effective agencies in maintaining the integrity of the Commission.

RECOMMENDATIONS ARISING FROM THIS SECTION

It is recommended that:

- 12 • The Q.C.S.C. establish an Operational Audit Bureau as set out in this Report with responsibility and authority to examine and report upon compliance of the system with policy and administrative directives;
 - the Bureau should report to the Director-General and the Board;
- The Board of the Q.C.S.C. have the power to appoint, as required, Inspectors with the responsibility and authority to carry out specific investigations to include as necessary,
 - investigations of escapes;
 - investigations of disturbances and riots;
 - investigations of allegations of systems of checks and controls relating to security, financial and administrative systems;
- Official Visitors be appointed to each Correctional Centre,
 - they should have the powers to investigate, hear complaints, examine internal administrative processes; and
- The Q.C.S.C. discuss with the Police Department the establishment of the Police, Prison Liaison Office along the lines set out in my Interim Report.

8. USING STAFF EFFECTIVELY

8.1 The Role of Correctional Officers

During the Review I talked to hundreds of Prison Officers. They tell me of difficulties coping with the dual nature of their task. On the one hand, they need to be friendly with their prisoners. They need to advise and help them, and to work with them on a day to day basis. On the other hand, they are often confronted with difficult prisoners who require a very disciplined approach.

Evidence of the problems caused by this confusion in their roles can be found in submissions by Prison Officers and by the Union. I was especially concerned about the submissions by the wives of a great many officers who went to the trouble of contacting me. They said that they were the ones who bore the brunt of their husbands coming home angry and disillusioned.

Officers are well aware of the problems and wrote with passion about how they feel. They are ordinary humans with the emotions and capacity to make friends even among prisoners. In many ways society is asking the impossible of the Prison Officers in expecting them to switch on and off with their friendships and emotions at will. One succinct quotation from submissions highlight the problems:

"To be impartial when daily faced with perpetrators of extreme cruelty, is not easy and to successfully achieve this quality, so necessary in a prison officer, demands more than many persons are prepared, or able, to give."

"The character of a Prison Officer has to be such that he can adapt himself to whatever role the prevailing situation dictates. Not unlike a Chameleon, he has to alter his obvious identity to survive.

One moment he might find himself acting in a role not unlike a Hotel servant, making sure that all prisoners have clean laundry, adequate food and that they are all safe and accounted for, only to find himself the next moment preparing for, or involved in a riot situation, defending himself, or his fellow Officers from assault etc. etc."

(Submission from a Chief Prison Officer, Mr Len Turner)

Another, later section of this Report gives further details of the toll this is having on families.

For too long, as I have noted earlier, the system has put an emphasis only on the containment of prisoners. Now the pendulum is swinging the other way to an emphasis on correcting and the delivery of counselling, education and other programs to prisoners. This is as it should be. It is the goal of corrective services today.

But, there needs to be a careful balance in this. The achievement of that balance is proving difficult and stressful. In major areas of the system many officers do not want to be part of that change. Many do not believe in it. Some are not emotionally capable of it. They are cynical about the way the changes are occurring. Their roles have not been clearly defined, and the organisation is not properly equipped to implement the changed emphasis smoothly. The change in emphasis has been set out in the "Goal Statement" of the Department. But, this is an overly long and complex document trying to say one very simple thing. It is trying to say that the twin objectives of the organisation are *custody* and *corrective services*. Many staff I have spoken to have little understanding of the "Goal Statement".

The confusion in the role between security and interaction with prisoners is not unique to the Queensland Prison Service. From what I have read of prison services elsewhere, it is common. Prisoners are well aware of it, and exploit it to the hilt. I recently came across a book about the experience of being inside prison. It really got across the dilemma officers face all the time.

"Relationships between prisoners and prison officers are complex. On one level the prison officers are in a strong position of power, with the legitimate authority to enforce even the pettiest rules. Some can abuse this power by enforcing trivialities such as requiring a prisoner to have all jacket buttons done up on muster, or by submitting discouraging reports which can affect a prisoner's reclassification to a more open prison, or his chances of parole. The prison officer can also take away a prisoner's privileges, night classes, contact visits, education classes, remissions, and so on. At another level it is very difficult for a prison officer who wishes to take a humane approach to keep that line. Some prisoners became adept at exploiting relationships and will take advantage of a friendly officer when they can. The result usually is that these officers become wary of the prisoners in general, and in future may stop helping them beyond the limits of their legal authority. More hardened and reactionary officers may also tend to resent any show of friendship from the other officers and do what they can to dissuade this . . ."

(An extract from "*Doing Time—The Prison Experience*"—B. Ellem)

The author then quotes from prisoners:

"You've got to let your frustrations out on somebody. Say you didn't have a good visit with your family, something happened, you had an argument and you came away feeling upset. You've got to let it out on somebody and unfortunately the prison officer is always there to pay it out on."

(Vince: Age: 20 Offence: Burglary Sentence: Five years") "*Doing Time—The Prison Experience*")

"You can't say all prison officers stink, because they don't. You get some good ones amongst them, and some blokes that are really just rats. I did have hatred for them all when I first came in because I didn't know any better. But when I stopped and sat down and thought about it, I realized this blokes's not bad, he gives me a fair go, so why do I call him a dog."

Some of them try and help you, like I've had them offer to make a phone call for me when I've been feeling down. If I've had troubles outside some of them have come up and said, 'Listen, I'll make a phone call after work and fix things up for you.' Well, that's what I call good. That's the way it should be. That's doing their job. And then you get the other guy who lives by the book. A real bastard. They just upset you all the time."

(Brian: Age: 23 Offence: Burglary Sentence: Four years")

"I've seen new officers come into this prison who have the right outlook trying to help or rehabilitate a prisoner, not only lock him up. Then a prisoner has tried to use him, has asked him to do something, run some contraband or something, and he said no, and then the prisoner decides he hates him. I've seen officers turn sour on numerous occasions."

(Derek: Age: 26 Offence: Armed robbery Sentence: Fifteen years")

(Extracts from "*Doing Time—The Prison Experience*" by B. Ellem)

The new prisons will place a strong emphasis on the supervisory and interactive aspect of the prison officers jobs. Yet those same officers will still be required to undertake the very disciplinary roles of guarding the gates, searching the prisoners and their cells and even riot control. In many ways, staff are in an impossible dilemma.

I have thought long and hard about this issue. It is tearing the organisation apart. It is not healthy. One cannot change the approach and philosophy of dealing with prisoners and still leave in place a staff system that is virtually unchanged since the turn of the century where discipline and containment was all that was required. It must be resolved.

8.2 Supervision and Security are Different Roles

The solution I have been suggesting to staff and management is a total and formal split of the uniformed ranks into two separate and distinct services. These are:

- security services; and
- supervisory correctional services.

I would see the "security services" as being carefully selected and specially trained for their specialist role with special uniforms. They would need clearly defined duties. These people would *not* interact with prisoners. They would be security specialists, at arms length from prisoners. They would be called Security Officers. They would carry out searches of prisoners, searches of cells, drug searches, man the control rooms, form the riot control squad and man the gates and perimeters. They should be placed under the control of the Manager, Security.

The other group, I have termed "Supervisory Officers". That is in line with the existing proposals for the unit managers in the new prisons. They would work closely with the prisoners, supervise them at work and in their recreation and in their general living unit. They would do much of the present work of Welfare Officers. If discipline and/or security became a serious issue they would call for the assistance of the security services.

I believe the Commission should recruit initially only for the ranks of the Supervisory Services. I would envisage that some officers would prove very adaptable to the kind of interactions required of officers in the correctional side of the service. Others would grow tired of the strain of dealing with prisoners who after all, are a group of people who are often manipulative and do not abide by the normal rules of society. Such staff could transfer to the ranks of the Security Officers. Each stream of the service in each prison needs a Chief Prison Officer and Manager in charge.

8.3 Support for the Concept of Security Services

While I received a great many submissions pointing out the stresses of the role of Prison Officer, and indicating the symptoms, no-one really specifically came out and said what I have just proposed. However, I have, as this concept evolved in my mind, discussed this with Prison Officers, senior

staff of the Department, the Comptroller-General, the Assistant Comptroller-Generals, Superintendents, wives of officers, welfare workers and others involved with the prison system. Generally, I have received almost total endorsement for this kind of split. It is similar to a Canadian approach.

Nevertheless, I must indicate that I did come across two areas of concern with the proposal. First, one of my committee was convinced the roles of security and prisoner interaction could be successfully combined. However, I am certain this belief in the qualities of officers' capacity to handle the dilemma is probably more indicative of his own abilities. I know the best of the prison administrators have successfully negotiated the very difficult course between security and corrections. For a great many Prison Officers, however, this path is set with traps. The other significant area of opposition to the proposal came from the Comptroller-General himself. He had no trouble with the concept of dividing operations into two streams but argued it should occur "administratively" and informally rather than be a strict and separate force. He is an experienced administrator in this field and, clearly, I have to listen to what he says.

I discussed these proposals with the late Sir David Longland before his death and also Mr Keith Hamburger who worked closely with Sir David on his inquiry. They supported the concept. Sir David drew my attention to a section in his Report where he had advocated just such a split.

Quoting directly from his report, he said:

"5.4.10 There is a strong body of opinion at various levels within the Prisons Department that some redesign of the organisation structure at H.M. Prison, Brisbane is required . . .

5.4.13 Consequently, in consultation with the officers assisting me, I have given considerable thought to this matter and I hold the view that the current divisional structure should be replaced by an organisation based on functional lines. Such a functional structure should at least provide for the following management units:—

Security Services

- gate security;
- perimeter and tower security;
- outside escorts—e.g. courts, hospitals etc.;
- dog squad;
- prison searches;
- detention unit;
- emergency and safety training;
- information gathering;
- radio communications; and weaponry . . .

5.5.4 security services would be a discrete area staffed by specially selected and trained officers who would be responsible for perimeter security, key point security duties and other related functions.

5.5.5 The design and delivery of prisoner programs would be the responsibility of other specially selected and trained officers who would be multi-skilled in terms of security duties and prisoner program delivery. These module and squad officers would be responsible for the day to day control of the prisoners . . ."

(Extracts from the Report of the Enquiry into the Management Practices Operating at H.M. Prison, Brisbane—Sir David Longland, C.M.G., April 1985)

I am personally convinced as to the correctness of this split. I am as confident of its necessity as was Sir David, and I am going to recommend that the split be formalised as soon as possible. It fits in well, especially with the approach being adopted for the new prisons. The present Dog Squad should form an integral part of the Security Service and be strengthened.

It will be a major step in upgrading the self image of the Service and its image in the community. A person employed in the Service will no longer be a "prison officer" or a "warder". He will be either a Supervisory Officer or a Security Officer. It will give the staff a new image to live up to, and a clearer understanding of their role. It will help in a positive way to implement the "Goal Statement" of the organisation and improve the professionalism and standing of officers.

I have now written the legislation that accompanies this Report in such a way as will facilitate these changes in officer role. I have been asking my Industrial Relations Task Force to enter into discussion with the Union on how this might best be implemented.

RECOMMENDATION ARISING FROM THIS SECTION

It is recommended that:

- 13 • Prison Officers be formally divided into two career streams of Correctional Officer:
 - Security Services; and
 - Supervising Correctional Officers.

9. SUPPORT RESOURCES

9.1 Library Resources

In my Interim Report I noted my surprise at finding a Department with such major research needs and responsibilities as Prisons did not have a decent library. I now need to elaborate on that and provide some suggestions for what should be done to remedy the situation.

Two submissions gave very detailed consideration as to what should be done. The Library Association of Australia submitted:

"The Association believes that prison libraries in Queensland are in a sub-standard condition. There is a serious lack of resources.

Rule 40 of the *Minimum Standard Guidelines for Australian Prisons: Discussion Paper* (1978) states that:

All categories of prisoners shall have access to a library adequately stocked with both recreational and instructional books, and prisoners shall be encouraged to make full use of it."

(Library Association Of Australia)

A submission from a prisoner made a detailed argument:

"Apart from working as Welfare Clerk in the Reception Division I moonlight as librarian for C Wing. Consequently I am familiar with library operations and procedures here. It is my understanding that the Prisons Department has not expended one cent on library books in recent years. The State Library supply books on a rotational basis as well as short term loans.

This may sound adequate, especially as the State Library allows the prison a greater number of books per person than it would a country town of similar population. But how many country towns have 40-50 per cent of their population using their libraries—this is the case here (the Welfare Officer Reception Division will verify that the library has from 240-300 active readers)."

LAW LIBRARY

"Perhaps more importantly, are you aware that Commonwealth prisoners are entitled to a law library. Are you aware that the Supreme Court in the USA has directed that law libraries be established in all prisons. Prisoners in other mainland States have access to well stocked and maintained law libraries. In this State we have access to about THREE different and mostly outdated law books. Basics such as the Justice Act and Rules of the Supreme Court are not usually available.

While Legal Aid and the Public Defender visit the prison, these agencies reject many prisoners. However there is also a need to allow prisoners access to the law, *even if* these agencies did not reject people. The argument that they only reject after consideration is not valid, for example I have had considerable personal success with Supreme Court Bail Applications for prisoners rejected—more importantly I am not a lawyer. There are only token visiting legal services available apart from at this prison. We need law libraries in the major prisons."

(Submission by Prisoner Mr D. G. Mathieson)

I agree with these sentiments.

The Department of Family Services does have a well-stocked, professionally staffed library that presently provides a facility which can be accessed by the Prison service. But, as pointed out in a submission from the Librarian, Mr Phil Roberts, the time is rapidly passing when they can spread their budget to cover a Department which is outside their immediate area of professional responsibility:

"The resources of our library are too thinly stretched to properly meet the demands of two departments. If Corrective Services could establish its own library, officers could have faster access to the information they need.

The need for a separate library was in fact recognized by Jack MacNamara two years ago."

(Department of Family Services Library)

Clearly, Corrective Services needs their own library. Unfortunately no action appears to have been taken on this proposal due to a lack of funds.

There are two areas which need resourcing by the library. First, I think it is almost universally accepted that prisoners should have access to remedial, educational, recreational and legal reading materials. These are virtually non-existent at the moment. In each prison I saw small, often tidy and well-cared for, libraries of second hand donated materials. These were usually looked after by

a prisoner under some form of supervision. The State Library provides an exchange system which works moderately well. However, legal and educational materials are not well organised. There is lack of clear policy about what is required.

The second essential need is for a library to provide a research resource for the Department. It needs to keep up to date with thinking in criminology. It needs to provide access to the major journals in the field of corrections. Training and personnel areas need texts and journals. Policy development and planning needs to take into account the ever-growing field of criminal research, both in Australia and overseas. Prison officers thinking to further their careers need to find out more about the field in which they operate. The development of managers should require them to undertake wide reading and research. None of this can be usefully done with the resources available, at present.

I believe that the additional funds I recommended the Government allocate to the Corrective Services Commission would be sufficient to enable a small but adequate and professionally staffed library to be established.

The library probably should be located in the central offices of the Q.C.S.C., but, as space is a real problem, it might be located at the Staff College. I would envisage that at least one full-time, properly qualified librarian would be required. Some assistance from part-time staff would be well worthwhile. The librarian would need to supervise this service, develop policy and monitor its performance.

9.2 Research

In my Interim Report I commented on the inadequacy of research facilities and the inability of the Department to answer many elementary requests for information. I have had a number of submissions from people quite independent of the Department who also drew attention to the need for proper research facilities. Mr David Biles, Deputy Director of the Australian Institute of Criminology, Canberra made a very detailed submission about Corrective Services in Queensland. He argued that:

"Queensland's Corrective Services, with some 2 300 prisoners, over 5 000 probationers, about 600 parolees, and about 2 000 offenders undergoing community service orders, a total of about 10 000 offenders in its care, should have a research unit of not fewer than six professionally qualified researchers whose primary task is to monitor the operation and effectiveness of an increasing range of correctional programs. Such a unit would of course provide the basic data which is the foundation of solid policy development."

(Australian Institute of Criminology Submission)

I agree with the need for a properly equipped research capacity. Perhaps a small group with someone from the social sciences with criminology qualifications and an operations researcher or economist to look at efficiency issues would be a good start.

9.3 Computers

In recommending in my Interim Report an additional \$9 million dollars for the budget for corrective services in this State, I included a figure of \$1.5 million for computers. The Interim Report noted a serious lack of application of computers to the most routine tasks associated with prison administration. Computerisation is an essential ingredient to the secure and successful operation of the new prisons. They have been designed around computerization.

In the six months I have been undertaking this Review, I can see no real signs of positive progress in this area. Staff are frustrated by what is not happening. Submission after submission by prison managers made reference to the lack of computerization. For instance:

"2.2 Computerisation

It is ridiculous that an organisation as large as the prison service, with so many variables it must consider, and the immediacy with which information is required, is not computerised."

(Submission by Superintendents, Brisbane Prison)

and

"The Department technologically in the dark ages.

SYMPTOM Recent payroll and accounting systems were not well introduced. Nothing has been done in custodial areas where systems are antiquated and cumbersome.

EFFECT The Department cannot respond quickly to changes in inmate trends. It is not aware of those trends. It cannot locate inmates. It has no quick tracking system. The Department runs slowly on paper. The paper gets lost."

(Submission by the Manager, Management Services Branch)

The development of the system has been dragging on for years. It must be completed urgently. I have seen a recent consultant's study commissioned by the Comptroller-General of Prisons into the proposed Prisoner Administration System. It gives a basic endorsement for the direction being taken and for the level of funds required. Other submissions from people working in this area also outlined what has been proposed. I am not concerned with the exact details of how the system is implemented. The experts will sort that out. There is a major and overdue need for it. It is taking far too long to attend to. The project must be completed.

I am so concerned at lack of progress I called upon the Manager of CITEC, (Centre for Information, Technology and Communications) Mr Mal Grierson and had discussions with him and his Deputy (Mr Brian Parker) about what is required. They share my concerns about the computerisation in the Department. I was advised the reason adequate funding has never been provided is that no proper implementation proposal has ever been put to CITEC. They lack confidence in the ability of the Prisons Department to manage a substantial computer budget and implement a major computer system effectively. Mr Grierson said that he had never been approached by the senior management of the Prisons Department regarding the problems faced by the Department and the processes to be followed.

Mr Grierson indicated to me that suitable additional funds to the amount of \$500,000 could be immediately available. He recommended that an implementation strategy be immediately developed. He said that the resources in the Prisons Department were inadequate to develop a system and utilise the available funds.

I discussed with him how the Q.C.S.C. might go about this. We agreed that it would be appropriate for a special taskforce to be set up. The Q.C.S.C. needs an Information Systems Manager. The Minister should be approached to make this appointment as soon as possible. The Manager should head up the taskforce. CITEC made a strong commitment to assist in every way possible in developing this strategic plan, freeing the resources and advising the Commission on suitable appointments.

The immediate goal must be the implementation of basic computerisation of prisoner administration in the new prisons. Thereafter the system can grow into a State-wide network capable of handling all administration.

RECOMMENDATIONS ARISING FROM THIS SECTION

It is recommended that:

- 14 • A Queensland Corrective Services Commission Central Library be established and staffed; and
 - Libraries be established in each prison under the guidance of the Central Library to include resource materials in,
 - law,
 - education,
 - remedial reading, and
 - recreational reading.
- 15 • The Implementation Committee immediately establish a computerisation taskforce, to include CITEC, to urgently undertake the development and operational establishment of a State-wide computer network for the administration of prisoners;
 - adequate funds be immediately allocated for the purpose;
 - consultants be immediately engaged to advise on the requirements of the system, and an appropriate strategy for its procurement;
 - a position of Information Systems Manager be created and filled immediately;
 - weekly reports on progress be required; and
 - a staged approach be used with target dates set for the completion of each stage.
- 16 • A Manager Policy and Research be appointed with a suitable research staff.

10. THE ALLOCATION OF FUNDS

10.1 The Need For Adequate Funding

In the Interim Report, I advised the Government of the serious need for additional funds for corrective services in this State. Successive governments have neglected this vital area of public administration. The Government suffers as a result with an image of maladministration, neglect and mismanagement. The men and women who are employed to operate the system suffer as they are given a task that becomes impossible with hopelessly inadequate resources. The people of Queensland suffer as the system does little to correct offenders' behaviour. Prisoners suffer unduly from primitive facilities and failure of services and injustice, unfairness, tension, riots, assaults and rapes occur.

Some of the frustrations felt by prison administrators can be found in this submission from the Superintendents at Brisbane Prison who have to try to manage with inadequate funds:

"2.1.2 Finance

The lack of finance affects virtually all prison endeavour, which renders its inadequacy as a critical factor in problems besetting today's service.

Right from the outset, insufficient funding is allocated each year, to meet projected budgets. Our service is largely reactionary in its administration at prison level which means there is little control of spending in some circumstances. These unforeseen events reduce available funds even further and various programmes are curtailed to meet the financial demands generated."

(Submission by Superintendents of Brisbane Prison)

There is no alternative to the kind of entrenched failure to properly finance the system I have been describing other than to provide adequate additional funds. No amount of staff dedication, no amount of hard work and smart management, no amount of enlisting of volunteers, no amount of cutting corners and creatively extending the letter of the law to release prisoners and relieve overcrowding, can adequately substitute for the underfunding of this essential service. In fact, I will go further and suggest that inadequate funding ultimately becomes self-defeating. Eventually it costs more to fix the system later than now.

10.2 Interim Report's Recommendation

The Interim Report to the Government said all this and I was delighted that the Government has accepted my recommendation for change in this area. I said about \$9 million, in addition to what would otherwise be provided, is needed to upgrade Correctional Services of this State. I would like to quote what I said:

"This additional funding is really not optional. Correctional Services are a basic part of the operations of any community. It is obvious from the submissions I have received, and interviews I have conducted, that the community itself will not accept the unrest that may eventuate if change does not occur. The unrest appears to be 'on hold' at present while this Review provides hope for change. Failure to act quickly following this Review may well fuel significant prisoner and staff reaction and overwhelming frustration throughout the system."

Since submitting my Interim Report, I have had the time and opportunity to further reflect on the problems arising from the inadequate finances. Also, additional data is available to strengthen the arguments that Queensland has been underfunding and seriously neglecting corrective services.

The consequences of this underfunding is apparent in a whole range of services. Some essential services are just a mockery. I did not specify the nature of the business the Department is in; the Government did. Queensland does not have an Honourable the Minister for Prisons. It has a Minister for *Corrective Services*. Yet compared to other states Queensland pays only token amounts to actual corrective services that reach a prisoner.

10.3 Grants Commission Data

Although data in the Interim Report provided some basis for comparison between States, and clearly indicates the woeful position of Queensland, during the Review I found it almost impossible to make consistent inter-state comparisons. While the Prisons Department did its best in response to my queries, the Department is not well equipped to research these issues and it was difficult to place the advice into a framework with any real sense of confidence.

However, a few weeks ago I was able to obtain from the Commonwealth Grants Commission in Canberra some results from their examination of corrective services in Australia last year. These results have been discussed with staff of the Grants Commission.

The Grants Commission undertakes a Review of Tax Sharing Relativities prior to the annual allocation of grants to the States. The aim of their Review is to examine expenditure on public services and make adjustments for particular disabilities faced by individual states. In the corrective services area figures are calculated which are indicative of policy and efficiency differences between the States.

Their paper on Inter-State comparison of corrective services expenditure in Australia confirms "... that there were marked differences in States' per capita expenditure on corrective services". Their data setting out actual per capita expenditure on corrective services for all States and the Northern Territory for 1986-87 appears in the table below.

Table 15: Actual Per Capita Expenditure on Corrective Services: 1986-87

	VIC	QLD	WA	SA	TAS	NT	NSW
Per capita expenditure (\$)	23.60	18.14	20.98	42.08	26.37	18.58	99.24

(Source: Commonwealth Grants Commission Report on General Revenue Grant Relativities 1988 Volume II)

Queensland has one of the lowest expenditures per capita.

In an attempt to explain the variations between States, the Grants Commission examined State Government corrective services allocations. A number of reasons for the variations in per capita expenditures were identified. They included:

- differences in the inherent need for expenditure on the corrective services function;
- differences in policy; and
- a combination of both.

The largest factor affecting the levels of expenditure between States is the imprisonment rate. As shown in Table 16 below the imprisonment rate for Victoria is low; that for Queensland is high.

Table 16: Imprisonment Rates Per 100 000 Eligible Population (1) 1982-1986

YEAR	NSW	VIC	QLD	W.A.	S.A.	TAS	SIX STATE AVERAGE	N.T.
1982	86.4	59.2	91.9	144.5	80.7	76.9	84.3	359.3
1983	84.7	62.6	91.3	150.5	76.1	65.5	84.4	296.1
1984	76.4	61.9	94.8	148.8	56.7	73.2	80.1	297.0
1985	89.6	58.0	104.5	151.7	70.8	67.3	86.8	330.4
1986	90.0	60.6	112.5	157.1	79.5	83.1	97.1	392.5

(1) Eligible population was defined in the 1985 Review as the population aged 15 years and over.

Source: AIC, Australian Prison Trends and ABS population data.

Quoting from the Grants Commission Report:

"From the tables above it was apparent that:

- over time the number of prisoners in most jurisdictions increased; and
- the imprisonment rate per 100 000 eligible population was widely divergent across jurisdictions.

Indeed, Victoria had the lowest imprisonment rate while Queensland, Western Australia and the Northern Territory consistently had the highest imprisonment rates. South Australia's and Tasmania's imprisonment rates declined over this period (Tasmania until 1986) while other States experienced increases in their respective rates...

Differences in imprisonment rates could also be influenced by the provisions of statutes creating offences and the sentencing discretion conferred on court judges and magistrates. In illustration some State statutes made imprisonment mandatory for specified offences or for

second or subsequent offences; other State statutes conferred wide discretion to impose a fine in place of imprisonment or to release offenders on bond or recognizance, with or without recording a conviction. These differences were apart from a range of sentencing options prescribed in the several States and noted in more detail later in this paper."

(Corrective Services—Cost Variations Between States—Needs or Policy? Commonwealth Grants Commission Discussion Paper 1987)

The Grants Commission then sought to take into account factors which might affect the cost of providing corrective services. The fact that some States are very scattered and this adds to costs was considered. Some States have higher Aboriginal populations and urban populations which affect imprisonment rates. Others like Queensland have transient populations which influence corrective services costs. Other factors included age structure of the population and numbers of Commonwealth offenders. Also, there were, in the opinion of the Grants Commission very clear policy differences between States and their use of prisons.

The Grants Commission then calculates an amount which in the view of the Grants Commission each State needs to spend to provide a standardised service after allowance for disabilities. I would think this is the closest to a standardised accounting framework in Australia for corrective services. It takes into account the differing budget framework of each State and the fact that some States put prisoner education in the education department others put it in the corrective services budget. It also makes allowance for the fact that some States have to spend more because they are dispersed or because the population is younger, etc. The Grants Commission conclusions are shown in Table 17.

Table 17: Expenditure on Corrective Services (\$M 1986/87)

State	Expected Expenditure (based on population & disabilities)	Actual Expenditure
N.S.W.	131.4	131.4
Vic.	87.0	75.9
Qld.	64.3	55.6
W.A.	38.5	62.2
S.A.	29.9	36.6
Tas.	10.0	8.3
N.T.	13.1	15.6

(Source: Commonwealth Grants Commission)

This quite independent study done for other purposes seems to confirm my own estimates that about \$9 million is required to bring Queensland up to scratch. In fact, I probably allowed too little. The Grants Commission estimates were for 1986/87. My estimate was for the 1988/89 year. Moreover, some of my data had a capital component built in, such as the cost of purchasing computers.

I do not want to go on about past funding failures at too much length. The Interim Report gave a very detailed review of the situation and the consequences. My arguments were heeded. The Government has accepted my recommendation for extra funding. The problems can now be solved in a sensible way.

10.4 Capital Funding

The allocation of \$81 million for the three new prisons provides reasonable secure accommodation into the foreseeable future. Other required expenditure of a capital nature includes the new pre-trial centre in Brisbane, a new Womens Prison, a Corrective Services Hospital and the refurbishment of some of the older prisons, especially Townsville.

Also, in providing for a range of specialised correctional facilities there will be a need for an ongoing capital works allocation and one for maintenance.

I want at this stage to make it clear that a capital works budget should be appropriated directly to the Q.C.S.C. budget allocation annually and not the Works Department. The Q.C.S.C. is an independent body from the public service and must have the flexibility and independence to manage its own financial affairs if it is to be accountable and efficient. The Q.C.S.C. should purchase its advice in the market. This market must include the Queensland Works Department.

I have the greatest regard for the Department of Works staff I have met. They are professional, dedicated, enthusiastic, hardworking and expert. The Director-General John Bellert and his staff could not have been more helpful. I want the Q.C.S.C. to continue to have available and utilise this

expertise. It must pay for it as it would any other service it purchases. But it must have the freedom to purchase services competitively and to forward plan its capital program and get the job done on time. It can't be held accountable if it lacks authority. Diminish its authority and you'll diminish its performance.

There is another important issue at stake here. The Q.C.S.C. needs the flexibility to switch its operations between developing its own capital structures or using recurrent expenditure to purchase services for outside. Flexibility is needed.

Similarly, the land set aside for prisons and corrective services needs to be vested in the Queensland Corrective Services Commission. The Q.C.S.C. needs the flexibility to buy and sell land as its requirements change.

RECOMMENDATIONS ARISING FROM THIS SECTION

It is recommended that:

- 17 • The Parliament annually appropriates funds for capital works and maintenance of corrective services direct to the Queensland Corrective Services Commission.
- 18 • All land presently set aside for prisons and corrective services be vested in the Q.C.S.C.

11. THE ADEQUACY OF FACILITIES

In the Interim Report I reflected on my impressions following visits to all prisons in Queensland, on the many submissions put to me, the advice of my Committee and staff and people I met. There is a fairly uniform view of the nature of the prison infrastructure in Queensland.

The quality of buildings ranges from very bad to good. I have been able to resist any need to travel overseas on this Review to inspect prisons in other countries. But from what I have read and been told by those who have looked further afield, the best in Queensland prison buildings is quite satisfactory.

Although severely crowded as a system, most prisoners shall have single cell accommodation which is an important feature of a decent system.

Some idea of the range in quality can be found in the attached photos. They show parts of the old nineteenth century prisons at Townsville and Brisbane with their antiquated toilet facilities, stark cells and oppressive yards. A comparison can be drawn with the more pleasant atmosphere of the Wacol prison with its associated farm area. New prisons nearing completion are represented with photographs of their modern cells.

There are two areas for concern associated with the physical infrastructure. The first is serious crowding. The other is the totally deplorable state of No. 2 Division and the Maximum Security Section of Townsville.

However, as the first two new prisons open in just over six months with the other to follow about a year later, I am satisfied that in the near future, crowding will cease to be a problem. If the recommendations for change in the building, operation and design of prisons and for changes in sentencing are adopted I am confident that crowding can be avoided at reasonable cost into the foreseeable future.

The old No. 2 Division and the Maximum Security Section of Townsville were built towards the end of last century and look like they have been running steadily down ever since. I have been scathing in my criticism of these. I said:

"They are unsanitary. They are not only unsatisfactory for prisoners—they are also unsavoury places for the staff to work. For instance at Townsville I found open waste drains passing by the kitchen and dining room where officers take their meals. Personally, I am amazed the staff have not taken major industrial action about some of their working conditions.

At tropical Townsville, kitchens are not fly screened. There is no place for inmates to properly eat. They walk from yards to line up in the open to be dished up a meal. They walk back to open yards where they have to sit without proper shelter . . ."

I noted the Human Rights Commission Submission which also drew attention to the failings of these prison units:

"We recommend that the administration close down the old parts of the prisons as soon as the new prisons come into operation. Of particular concern are the old divisions at Stuart Creek, Townsville and Two Division at Boggo Road Prison. In the cells in these divisions there is no running water and no sanitary sewage disposal. Prisoners do not have automatic access to fresh water when they need it but depend upon prison officers to provide it. This is contrary to S.M.R. Rule 20 (2). Moreover, the use of buckets instead of toilets does not ensure that the prisoner is able to comply with the needs of nature in a clean and decent manner. This is contrary to S.M.R. Rule 12. We are especially concerned at reports that the Two Division cells are used as punishment cells in which prisoners are locked up for 23 hours each day, sometimes for months at a time. Such incarceration in such conditions is quite inconsistent with the principle set down in I.C.C.P.R. Article 10.1."

(Human Rights Commission Submission)

Figure 12: 2 Division—Brisbane

Cell walls are blackened by fires started by inmates, stained by water and decorated with graffiti. They produce an atmosphere of hopelessness.



Figure 13: 2 Division—Brisbane

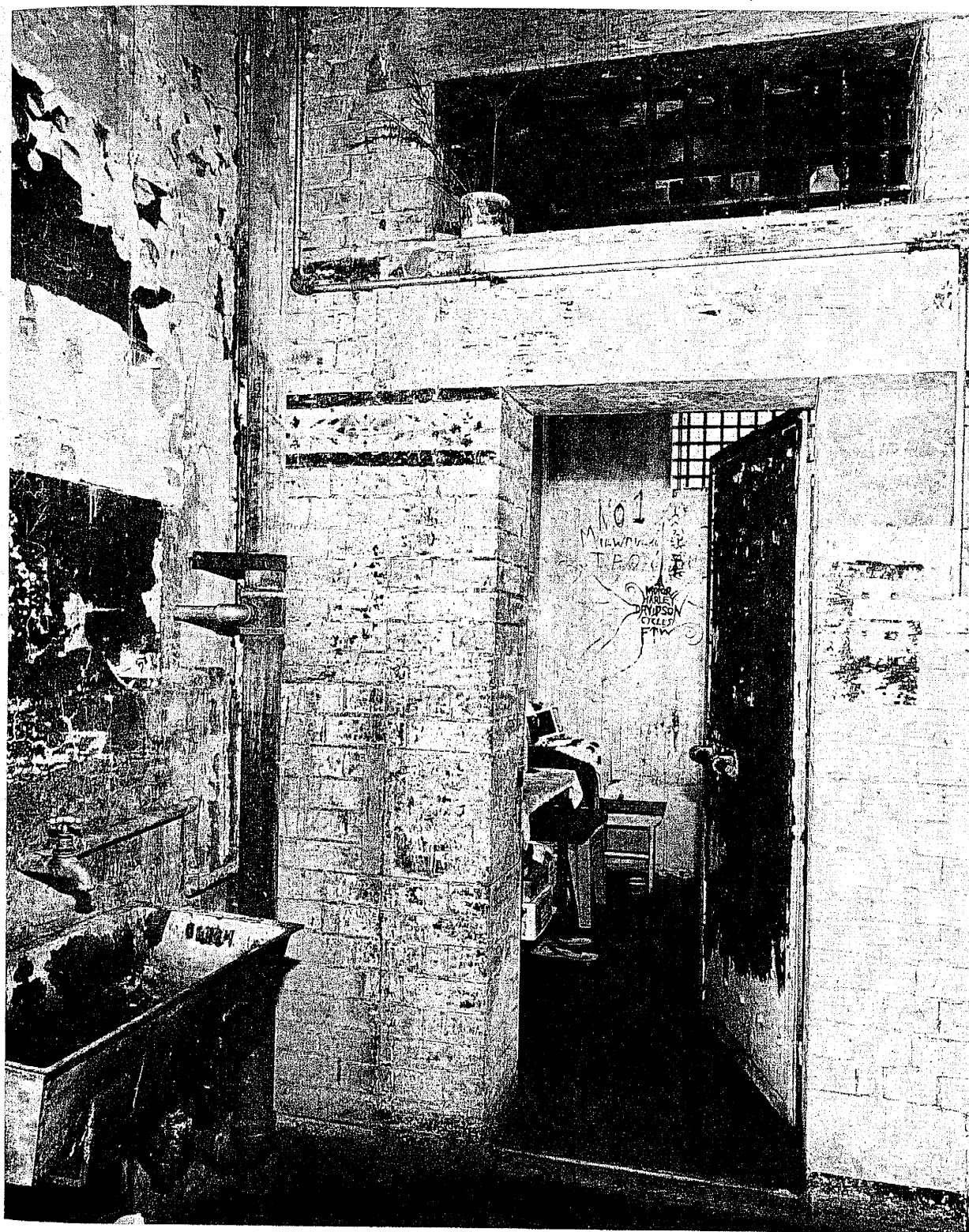


Figure 14: Yards in the Old Parts of Townsville

Each yard can hold 20 to 30 men during the day.

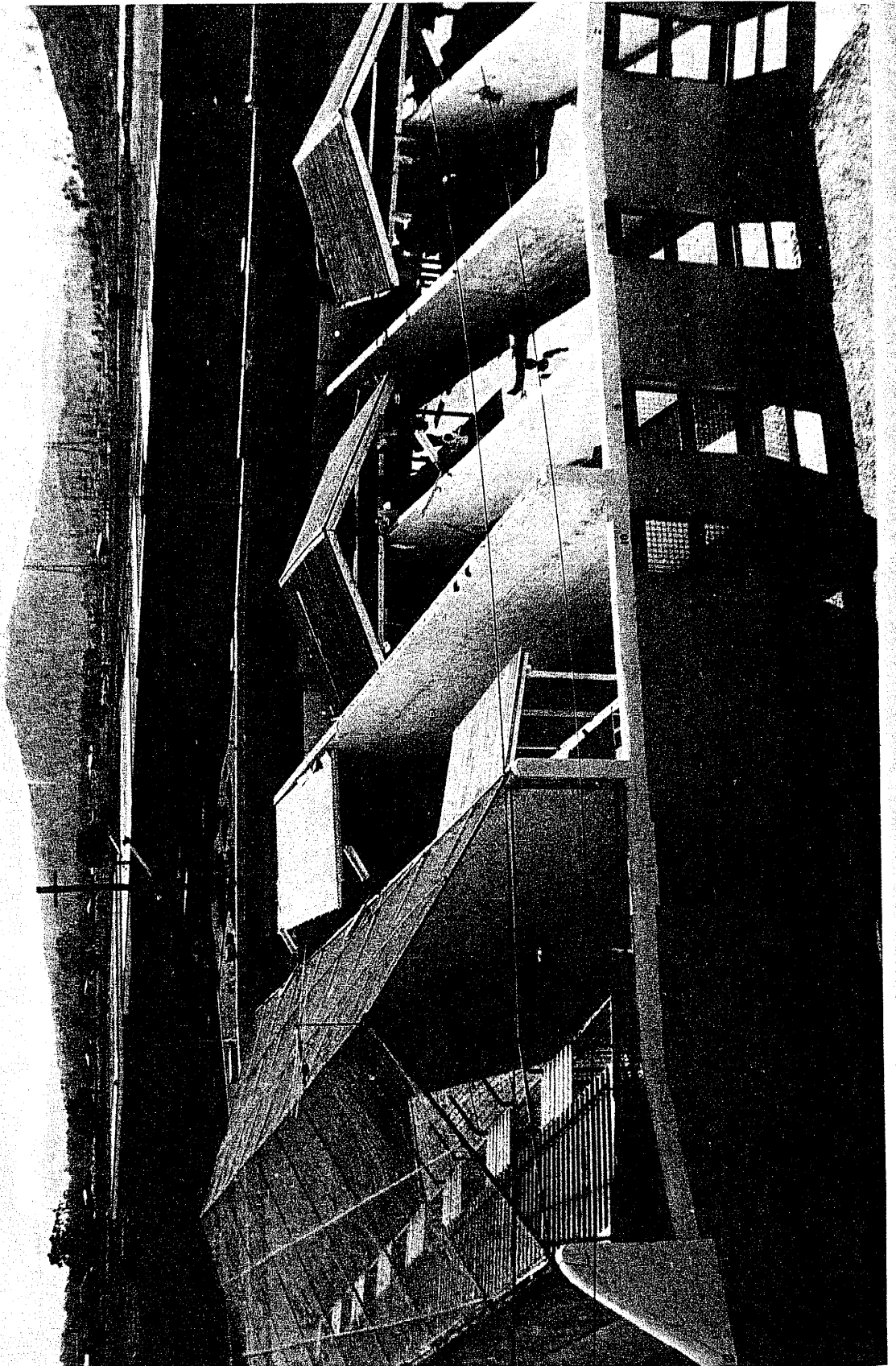


Figure 15: The Tub Yard—2 Division—Brisbane

Cell toilet tubs are emptied and cleaned by a work gang of three prisoners.

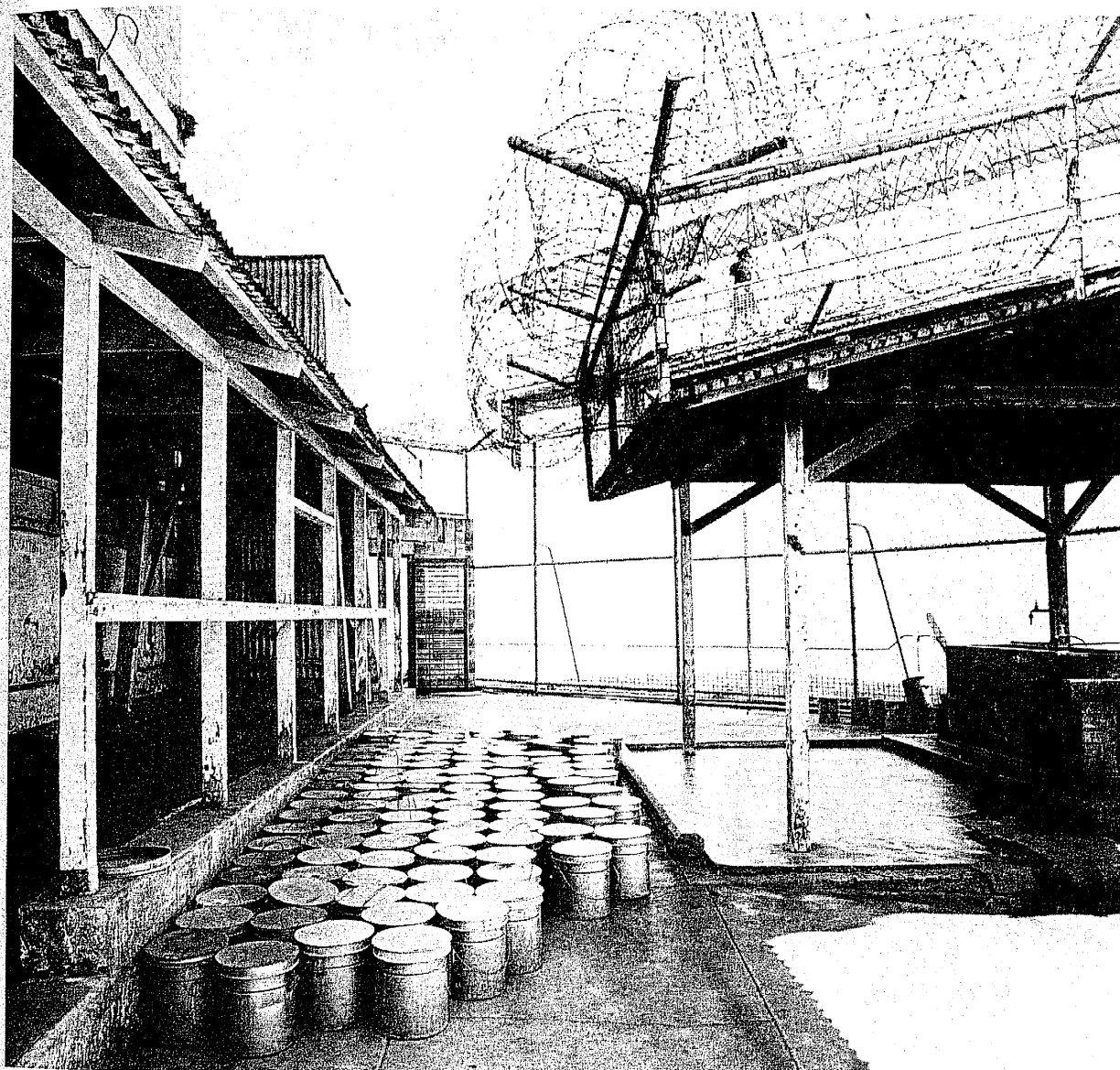


Figure 16: Toilets in 5 Yard—2 Division—Brisbane

Ablution Block 2 Division—each yard has one of these. Wire entanglement, added after several roof top protests, adds to the oppressive atmosphere.

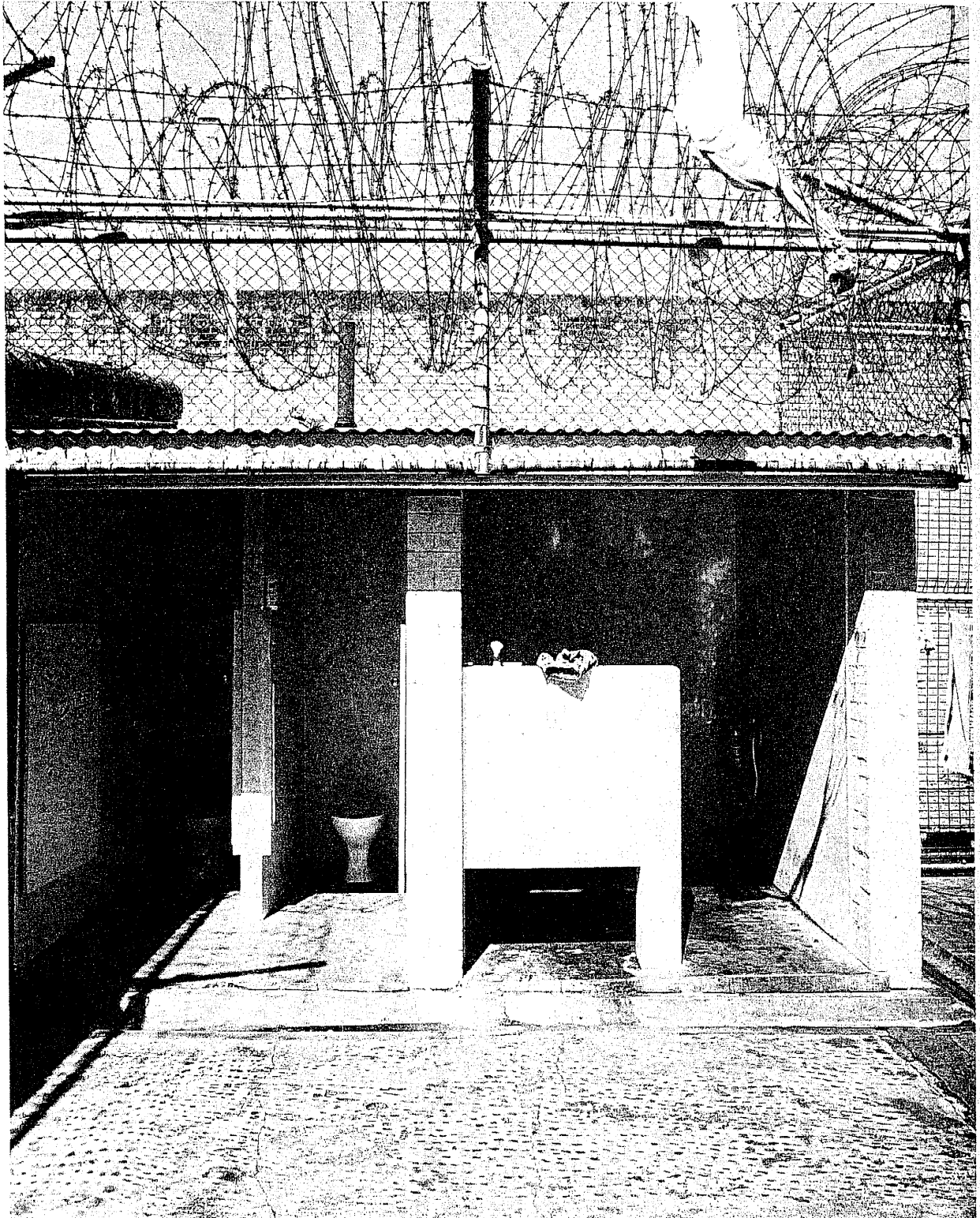
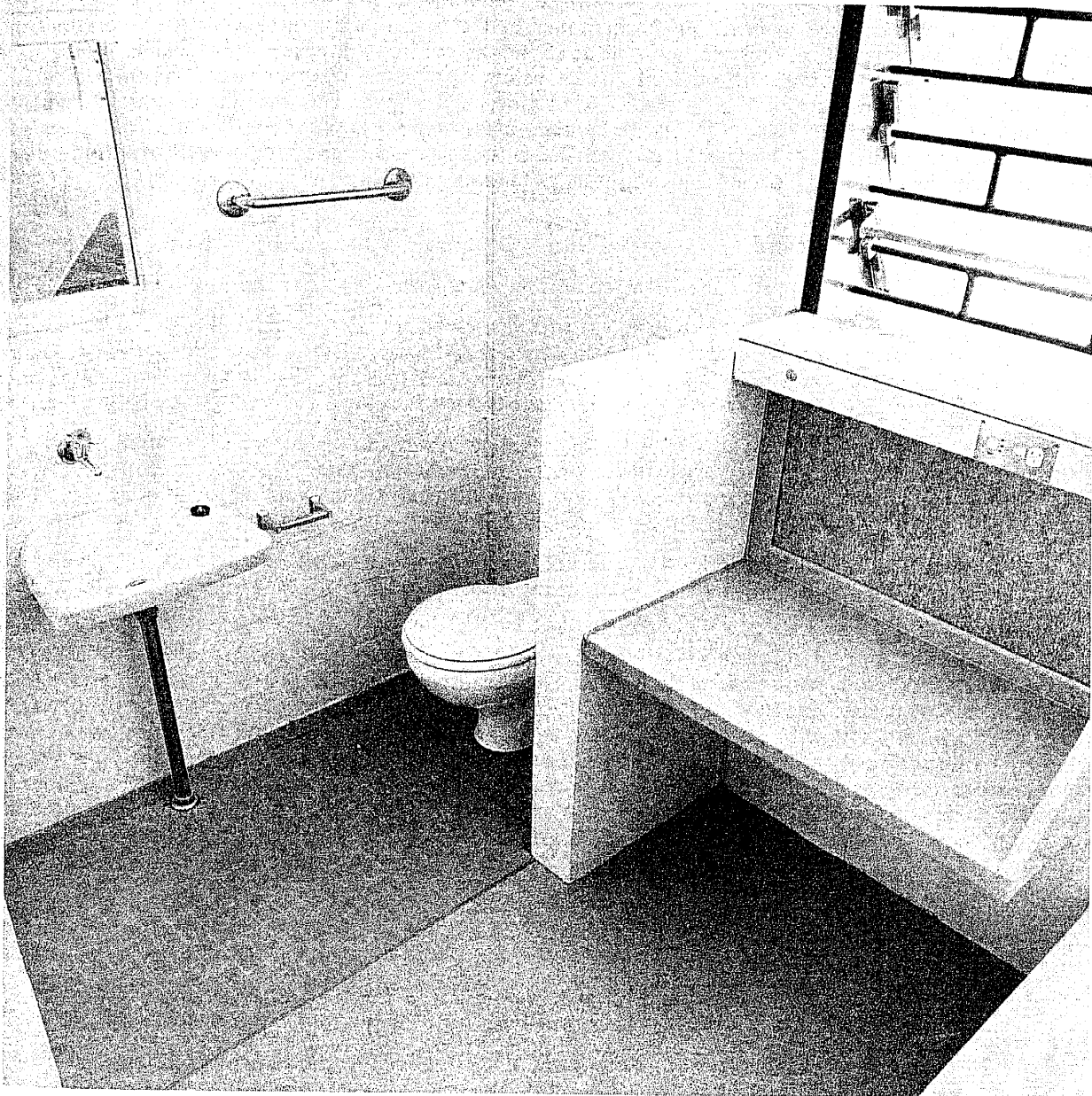


Figure 17: Centenary Corrections Centre—A New Prison

Modern cells in the almost completed Wacol Prison. Note the shower and toilet recess as an integral part of the room. A power outlet and intercom are features that are new to cells in Queensland prisons.



I recommended, and to its great credit the Government accepted my recommendation, that the Government officially confirm a commitment to the demolition of No. 2 Division of H.M. Prison, Brisbane and the Maximum Security Section of H.M. Prison, Townsville immediately following the completion and opening of the three new prisons. It is no longer a fit facility for the containment of prisoners. I expect that work towards demolishing 2 Division will be able to commence in 1989 under the direction of the Queensland Corrective Services Commission. This will attend to a major anachronism in the prison system.

When this was announced I seemed to get into something of a debate with some representatives in the media who seemed to find little to be concerned about with the dormitory for Aborigines in Townsville. What I was concerned about is that the need for communal and tribal grouping has become a way of avoiding the problems of crowding and an excuse for accepting sub-standard facilities. I will say more about the issue of Aborigines in our prison system later in this Report. I do want to say here that I totally stand by the recommendation to demolish the old parts of Townsville Prison, that in this view I have the unanimous support of the members of my Committee and the overwhelming support of the submissions made to the Review.

12. THE FUTURE OF BRISBANE PRISON

12.1 Background

My Terms of Reference require me to consider the future directions of corrective services in this State and I needed to consider how Brisbane Prison might operate after the demolition of No. 2 Division. It will have a different role. It needs to fit into the operation of the system after completion of the new prisons and the implementation of the recommendations of the Commission of Review.

I had consultations with the Comptroller-General of Prisons, senior staff in the Department of Works, and a wide range of people who are involved in the daily operations of the prisons. It was their intention that Brisbane Prison would then serve three functions:

- it would become a remand centre for prisoners still before the courts and, as yet, unconvicted;
- it would serve as a hospital and medical centre for the prison system in the south-east of the State; and
- it would also operate as a reception centre for prisoners just convicted.

Altogether it was felt it could house some 350 male prisoners and perhaps 90 women.

Having sought detailed advice on how such a prison might operate, weighed up the great many submissions to me which directly related problems occurring at the prison and having given a great deal of thought to the issues, I formed a firm view that the Government must go further than I recommended in my Interim Report. I was of the view that "Boggo Road" must go.

The design of the prison is now fundamentally flawed. It does not lend itself well to "corrective services". Plans are already being developed to attend to its design problems. The kind of estimates that can be provided at this stage would indicate that about twenty-five million dollars was going to be spent in the foreseeable future trying to bring it to a reasonable standard.

Really, this would be quite a wasteful expenditure of public funds. A great many problems would remain, in terms of its image, its functioning and its operation. The site is a blot on the landscape.

I felt that a decision on this matter could not await presentation of this Report. This was another case where so much of the detailed recommendations regarding the future directions to be taken depended on acceptance of a major new direction. I spoke to the Minister and gave him detailed reasons regarding the direction I was proposing. I spoke then with prison administrators and architects to see what might be feasible. I looked for alternative sites for replacement facilities and I looked in detail at the Australian and overseas experience with remand centres, pre-trial centres and community justice centres which embody the concept of giving unconvicted people held on remand a fair go by keeping them separate from convicted prisoners. Totally convinced we were on the right track the Minister and I went to see the Premier who endorsed the concept.

I have travelled with the Minister, his senior staff and senior staff from the Department of Works and also representatives of the media to Melbourne and Adelaide to look at pre-trial centres and prisons.

As outlined further on in this Report, planning is now underway for the demolition of Boggo Road and the construction of a modern pre-trial centre.

I really would not like to go into too much detail with the design concepts of a pre-trial centre at this stage. It is sufficient to say that the proposal will solve long term problems associated with Boggo Road and would attend to the problem of better treatment for people held on remand.

The Minister may well consider visiting North America to inspect pre-trial centres which are operating there, before finally settling on design and location proposals, particularly bearing in mind that the pre-trial centres we looked at in Melbourne and Adelaide were deficient in several respects.

12.2 The Problems of Boggo Road

In recommending, in my Interim Report, the closure of 2 Division I was commenting on the physical infrastructure. However, the problems are more entrenched than this.

The design and construction of Brisbane Prison is poor and gives rise to genuine security problems. A high level of industrial unrest and staff problems are entrenched. Even with significant and expensive modification its major problems cannot really be fixed. It is a focal point for dissent. It does not meet reasonable standards of prisoner accommodation. It does not lend itself to case management of prisoners. It is claustrophobic to live in or work in. It is also a blot on the urban

landscape of Brisbane. It is no longer appropriate for a gaol to be located so close to the heart of the capital of Queensland. It has outlived its usefulness.

12.2.1 *Security Problems*

The Layout

The main prison building was rebuilt in the late 1960s and early 1970s. It has fundamental flaws that cannot be remedied short of demolition.

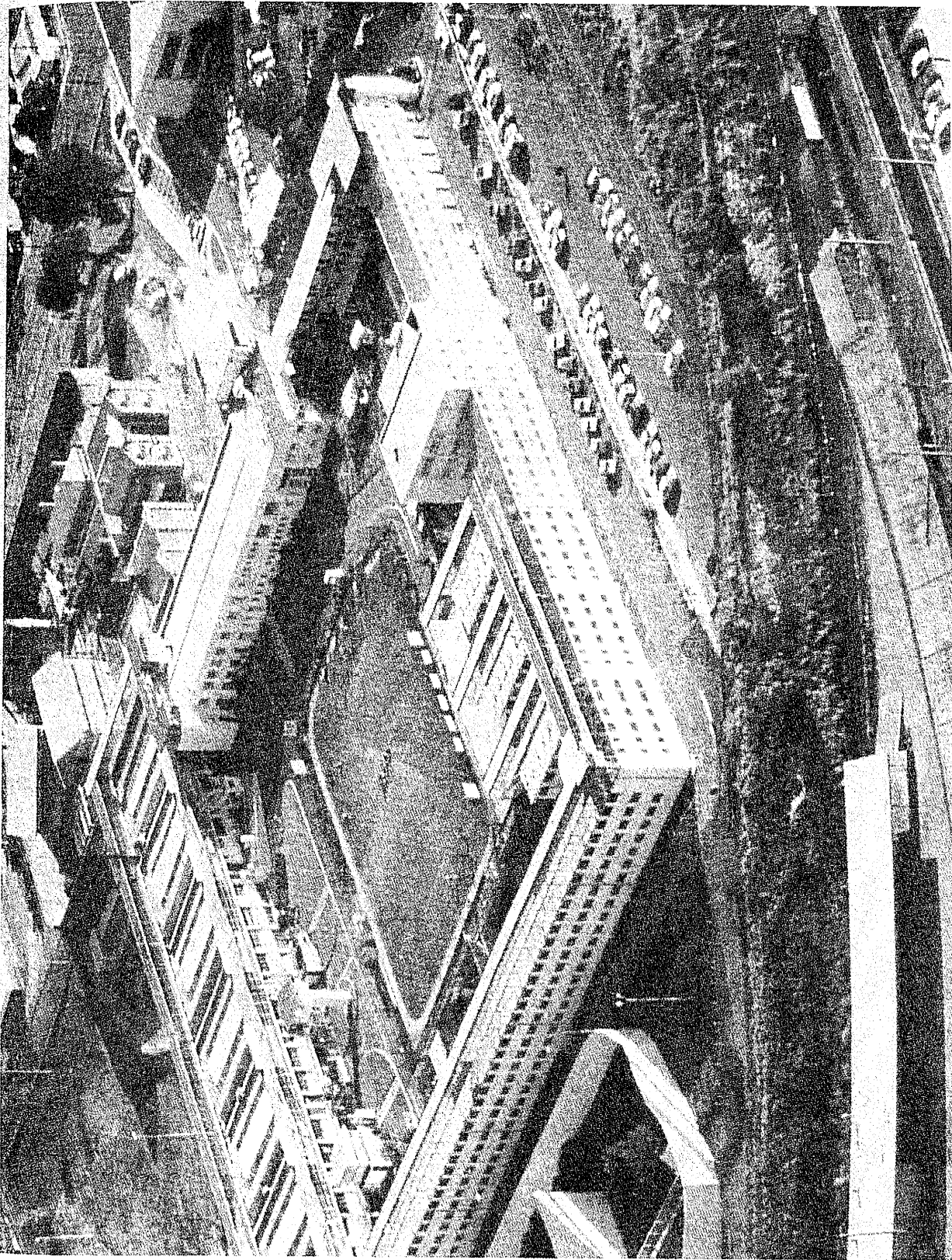
The prison is built in the form of a hollow square. All prisoner yards and cells overlook the square and each other. The whole prison watches every move in an auditorium type atmosphere.

Individual prisoners can, and do, disrupt the total complex by aggressive behaviour in front of the entire prison population. They can rally support and there is little to prevent minor disturbances rapidly developing in to full scale riots. This design problem can be seen in the attached photograph.

The hollow square ensures that riot control is difficult. In fact, staff are seriously endangered in disturbances in this prison. It is not possible to contain disturbances to a particular section of the prison. Staff can be and have been left behind and cut off as riots spread rapidly in the open prison.

Figure 18: Brisbane Prison

The hollow square at Brisbane Prison presents security problems.



Early in the Review, the Minister provided me with a copy of the debrief undertaken by the Deputy Under Secretary Mr MacNamara and Mr Glindemann, then Superintendent of Townsville Prison and now Deputy Comptroller-General of Prisons. It is a little known fact that in the last riot the prison was actually evacuated. The complex was virtually left in the control of rioting prisoners. The debrief leaves no doubt that it was more by good fortune than anything else that massive property damage did not occur with the lives of members of the public and the staff being put at risk.

Other riots, notably that of November 1983, were also difficult to contain. The people of Brisbane will remember that there was smoke arising from the prison for days as the riot continued on the upper floors where it could not be safely contained. That riot cost \$600,000. The riots in December 1986 cost \$400,000 and riots in 1987 cost about \$120,000 in repairs to damaged property. These costs are more indicative of the difficulty in adequately and rapidly containing a riot than of the initial level of violence when the situation broke out.

In riot situations the hollow square ensures that every counter move is open to view. It is difficult for riot squads to contain a riot to a small area. The prison cannot be secured with minimum force and risk to people either staff or prisoners. Riot gas does not dissipate quickly. It collects in the square where response staff and management are congregating in order to try and contain the problem. Many of the prisoners are well away from easy reach in the cells and yards high in the wings above the ground.

The three story, steep open stairs leading to the landings and yards are in themselves a security hazard. They restrict movement. They are even a problem when trying to deal with an individual difficult prisoner. A violent prisoner being placed into an area of secure confinement away from the general prison population has to be manhandled up four stories of open stair cases. There is a high risk of injury to staff and prisoners and not surprisingly on occasions a deal of physical force is used. As this is in full view of the prison it is no wonder that there are allegations of assault in such circumstances.

2. Window Design

The windows in Brisbane Prison are easily breached. They can be cut or spread with relatively simple devices. Once a prisoner is through the window there is almost no barrier to him catching the next train into town.

In the last two years eleven prisoners have escaped through these windows. Of these, two were serving sentences for murder, and two for armed robbery. This is supposed to be a *high security* prison capable of holding serious and dangerous prisoners. In fact, physical security at the prison is lacking. I have no hesitation in predicting that these escapes will continue and that they will continue to present a serious risk to the public of the city of which this prison forms the centre.

The windows and perimeter security have been modified over the years at significant cost with little apparent effect. Anti-spreader bars have been welded into the windows. These are not effective. I will quote from the Comptroller-General's advice to me on this approach.

"The window design is not good and substantial funds are required to improve the window security on the existing prison. Window bars were originally installed without anti-spreaders between them. When it became evident that the bars were easily bent, anti-spreaders were belatedly welded on. Regrettably, the welding process has not assisted the problems. The heat of the welding weakens the work-hardening of the P8 security steel rendering it more easily cut. The actual weld tends to be quite weak and prisoners have established that home-made jacks will break this weld. Anti-spreaders must be part of the bar system from the manufacture point and not added at a later time. To address this weakness, a secondary window security system would be necessary."

(Submission from Prisons Department)

Attempts to add protection by mesh screens have not been particularly successful.

3. Security Systems

Electronic alarm systems installed in response to the problems are not very effective. In May this year prisoner Lonnie escaped from the dining room. The subsequent investigation discovered that the electronic system covering this area had never formally been handed over, the camera was pointing directly at the ground instead of the wall, the alarms had been ringing continuously and falsely and had therefore been switched off and nobody really knew or cared how the system was supposed to work. It all sounds so amateurish and unprofessional. In the previous escape that beat the electronic screen the investigation concluded that the system had not been working for some weeks because of a lightning strike but no one had noticed. This is how a high security prison is being run in the heart of Brisbane! Yet nothing happens—no-one is disciplined or held responsible.

Moreover, it is known that in parts of the external walls, the reinforcing steel is not present. The areas affected are not major, but in 1982 prisoner Brennan managed to dig his way through the concrete wall and escape.

4. *Problem of a Security Prison in the Urban Area*

The fence line is not secure. When prisoners do breach the walls or windows, the fence offers no effective barrier to escape. In other words, once a prisoner has cut through the bars or spread them there is little else between him and the people of Brisbane. The tight layout of the prison makes it difficult to fix this problem. Certainly several million dollars would be required.

Brisbane Prison is overlooked by prison officers in towers. These officers are armed with high powered rifles. Not only are few escapes ever detected by the towers, if I happened to live in the area I think I would have reason for concern in the event of a weapon being fired from the towers towards the perimeter.

Really, what this leads to is the conclusion that a high security and badly designed old prison is not an appropriate use of near urban land. No doubt that when Boggo Road was first built it was well over the first hill and well away from the city. It is just that in a hundred years Brisbane has changed. Some of our prison operations need to change in response to this.

5. *Dining Area*

The design of the prison forces large numbers of prisoners to congregate each meal time. Meals are taken in two adjoining dining halls with a large kitchen attached. The number of prisoners in the area for each meal sitting is about 300. No more than 12 officers control the sitting.

There is considerable potential for trouble and prisoners occasionally stage "sit-ins" after a meal. That is, they refuse to leave the dining halls until they've negotiated with senior staff about grievances, real or imagined.

A riot resulting in extensive damage to the prison December, 1987, started during a meal sitting.

12.2.2 *Industrial and Personnel Issues*

In many ways nearly all the major problems of the Queensland prison system can be found at Brisbane Prison. The staff have been defeated by the system. The level of industrial unrest is many times worse than elsewhere in the system. Discipline is slack. Security is often laughable. I see many staff who are sloppy and show no sense of pride in themselves, their Service or their career. I am appalled that prison officers go to work in the knowledge that some of their work mates cannot be relied upon, that they have brought drugs and weapons into the prison. Sick leave and overtime are a rort. Former senior managers at the prison who have tried to instill a sense of discipline in the prison have been defeated by the prisoners, and by a system that seems to prefer to buy peace at the cost of discipline and control.

I am not convinced that anything I can recommend or that a Commission can do will change an entrenched and depressing culture. When I look at the way Boggo Road operates I feel I have seen all this before.

Some years ago I was a Commissioner on a Royal Commission into the Postmaster General's Department (PMG). This was Australia's largest single employer. Subsequently I headed a task force that implemented the recommendation to spilt the organisation into Australia Post and Telecom before becoming Chairman of Australia Post. At that time the postal service in New South Wales had a terrible and well deserved reputation for incompetence. The problems centered on the huge Redfern Mail Exchange. No doubt people reading this report will remember the problems. There were always strikes. Sick leave rorts were rampant. The operation was expensive. Mail was seriously delayed and lost. Because Redfern was central to the whole system of sorting and distribution in that State, everyone was affected. Nothing anyone could do seemed to have any impact on the problems. To me there was only one useful approach and I took it. I recommended that the place be closed down. Boggo Road needs the same treatment.

12.2.3 *Other Operational Problems*

The sheer size of movements in the prison is a problem. Mr. Tom Lane, a Superintendent at the prison has supplied me with some data. He says that there are about 3 500 new receptions in the Prison each year. There are 6 000 movements of prisoners to Courts. Technically each one of these is treated as a discharge. There are over 1 600 prisoners discharged each year as well as movements from other prisons back to Brisbane Prison for hospital treatment, or because they prove unsuitable for low security prisons.

On top of this Brisbane Prison is operated as three separate prisons with frequent movements of prisoners between the areas of the prison and between cells and yards in a constant attempt to

juggle the available space and provide reasonable separation between classes of prisoners such as remand and sentenced, young offenders and minor offenders and serious offenders. The mass management design of the prison does not allow for segregation of particular categories of prisoners. For example, it is not possible to fully segregate remand prisoners. So much of the prison has to be shared by large groups, it is inevitable that sooner or later particular prisoners will meet. The smallest groups living together are 25 prisoners, while some yards have over 50 prisoners in them. The failure to be able to administer separation requirements was highlighted in my Interim Report and is a major factor in the high levels of violence in the prison.

12.2.4 *Operating Costs*

The costs of operating Brisbane Prison are far higher than they should be. Some comparisons are set out in the table below.

Table 18: Comparison of Costs of Operating Queensland Prisons

Prison	Operating Cost (\$ million)	Cost per Prisoner (\$'000)
Brisbane	14.81	22.6
Woodford	4.59	17.6
Wacol	5.23	14.5
Townsville	6.76	14.25

It would appear on the basis of reasonable comparisons that Boggo Road costs the people of this State several million dollars a year too much for the number of prisoners it handles. What I am saying in this Report is that the troubles of the place are so entrenched no one will ever achieve success in reducing the costs.

12.2.5 *The Women's Prison*

The higher building of the male prison overlooks the low profile Women's Prison behind it. Female prisoners, visitors and staff are verbally abused daily by male prisoners from the windows. This compromises the use of open areas in the Women's Prison. Offenders are not easily identified because one cannot tell from which window the male prisoners are shouting.

The Women's Prison is a modern facility and has a national reputation for its architectural qualities. Nevertheless, for the majority of inmates it is too high security and facilities for education and work are inadequate and cannot be provided on the site at a reasonable cost.

After considering the cost of providing more accommodation and upgrading facilities I am recommending on commercial grounds that the Women's Prison also be removed from the site. Its presence would seriously devalue the commercial value and potential of the site left vacant by the demolition of the men's prison. Its retention does not make financial sense and would defeat the purpose of getting rid of Boggo Road. It also needs more money spent on it to enlarge its capacity. This money is better spent elsewhere.

12.2.6 *Prison Services*

The Police Department submissions drew to my attention the problem they experience in trying to work at Brisbane Prison. They said that every time they go into the prison they are in full view of the entire prison. There are no proper private interview rooms. Prisoners are fearful of having complaints investigated or of making complaints against other prisoners or of giving evidence against other prisoners because as soon as they do, the entire prison population knows. They become in the language of the prison—"dogs".

A great many other services associated with the normal day to day operation of the prisons also have very poor facilities.

The present design does not adequately provide for programs staff requirements. As a result, space for education, psychology or welfare activities is limited and considerable prisoner movement is necessary to access the few areas.

Security posts for staff are open to all weathers. Yards for prisoners provide little or no weather protection.

Virtually all submissions I received from members of the legal profession drew attention to the totally inadequate facilities for them to consult with their clients. In fact, the recent strike at the Women's Prison over security occurred because legal visits for prisoners from the male prison had to be held there. This is indicative of the poor facilities.

12.3 Overcoming the Problems of Boggo Road

I have indicated that the design is fundamentally flawed. It is not well suited to its current purposes. It is not well adapted to its proposed future use as a hospital, reception centre or remand centre.

I quote the submission by the Superintendents:

"2.1 Use and Allocation of Resources

We consider two resources whose inadequacy most affects administration, to be buildings and finance.

2.1.1 Building

There has been a virtual explosion in demand for rooms and facilities to meet both domestic and visiting professional needs.

The programme area has expanded rapidly, with staff of this area being forced to endure accommodation not suitable to their needs. This restricts Departmental effectiveness in this area of endeavour.

In some instances accommodation on a make-shift basis has been made available for such visiting professionals as clergy, counselling and legal pursuits. Such accommodation rarely provides the physical environment for these visits to be fully effective.

Work stations for officers are largely non-existent, except for places such as Towers and Gates. Where they are provided, they give little protection from weather extremes or provide good security coverage while officers are in there."

(Submission by Superintendents at Brisbane Prison)

Plans were being developed to attend to its design problems where possible. The kind of estimates that were provided indicated that in excess of thirty-one million dollars was going to be spent in the foreseeable future trying to bring Boggo Road to a reasonable standard. But despite this expenditure Boggo Road would still remain Boggo Road—yesterday's prison trying to cope with today's needs. The money will be wasted.

I quote the Comptroller-General's notes on the redevelopment requirements to indicate the task that is being planned.

"Programmed Changes and Projected Costs

During the current Five Year Capital Works Program, Prisons Department has planned for expenditure of \$6 million for physical changes to Brisbane Prison.

Approximately \$1 million has been planned for the demolition/removal of 2 Division and the renovation of the area for visiting and exercise space. A further \$5 million of alterations are planned to address the problems of window security, perimeter fence and alarm systems, expansion and modifications to the hospital, and minor upgrading of cell conditions.

The basic design of the prison could not be addressed by that program. It would remain a hollow square with the inherent problems of that design. Yard size would remain large and mass management techniques would still have to be employed.

More Comprehensive Change Program

Although the likely costs are beyond the current projected Capital Works budget of Prisons Department, discussions have been held with Department of Works regarding major rebuilding on the site to neutralise the present operational problems. These plans would involve re-use of some parts of existing buildings, demolition of other sections and construction of new sections. This would allow the Complex to shed the hollow square design, have smaller more manageable yards for segregation of prisoner classifications etc.

Because the designs have been preliminary only, it has not been possible to accurately cost the concept but it is estimated to cost a minimum of \$25 million. A major problem will be the carrying out of a building program in and around an occupied high security prison. The security issues to resolve will slow construction and add to the price. Notional sketches for what could be constructed are included.

In addition to the security problems that would be experienced during construction, other difficulties are evident. The new buildings would be markedly improved on the present situation, however they would still be a compromise. The constraints of having to continue to house 380 prisoners on the site during building, means that no clean design sheet can be used. The 'new' buildings will still contain a large component of the existing prison. This would be necessary in any case to keep the cost down to approximately \$25 million."

(Advice from the Comptroller-General of Prisons on forward plans for Brisbane Prison)

Really, this proposal is quite a wasteful expenditure of public funds. Even after spending \$31 million, Brisbane Prison will still not be satisfactory:

- It will still be "Boggo Road";
- It will still dominate a major access to Brisbane;
- It will still be a security problem;
- It will still remain a visible focus for opposition and industrial unrest; and
- The site is a blot on the landscape, and it no longer fits in with the operations of the City of Brisbane.

I can quite confidently say that if the Government fails to implement my recommendations in this area, there will continue to be problems next to the heart of the City of Brisbane that cannot be ignored and will not go away.

Almost everyone involved has known of the design problems of Brisbane Prison. They have been apparent for many years, even to the most junior of officers. Yet, the Department has persisted with *ad hoc* changes to attend to the problem. What has frightened people away from the decision to do away with the Prison, has been the perception of the value of the existing investment in buildings, the question of what alternative sites might be available, and the cost of providing a replacement. As a result, we go on and on adding to the investment on a site that should have long gone.

My proposals are that it is time that this was recognized and the appropriate decision made. The Government can close schools, hospitals, railway lines, bus routes, courts etc. as the pace of economic life of the State changes. It is silly to be reluctant to address this anachronism just because it happens to be a prison.

Brisbane Prison should be demolished and the site sold.

It would be more cost effective to do this rather than to try and fix it. The majority of the facilities should be rebuilt in the prison precinct at Wacol. What is then required is a remand facility. I am proposing this facility should be called a pre-trial centre. Preferably, it should be close to the Courts provided a suitable site can be found at the right price.

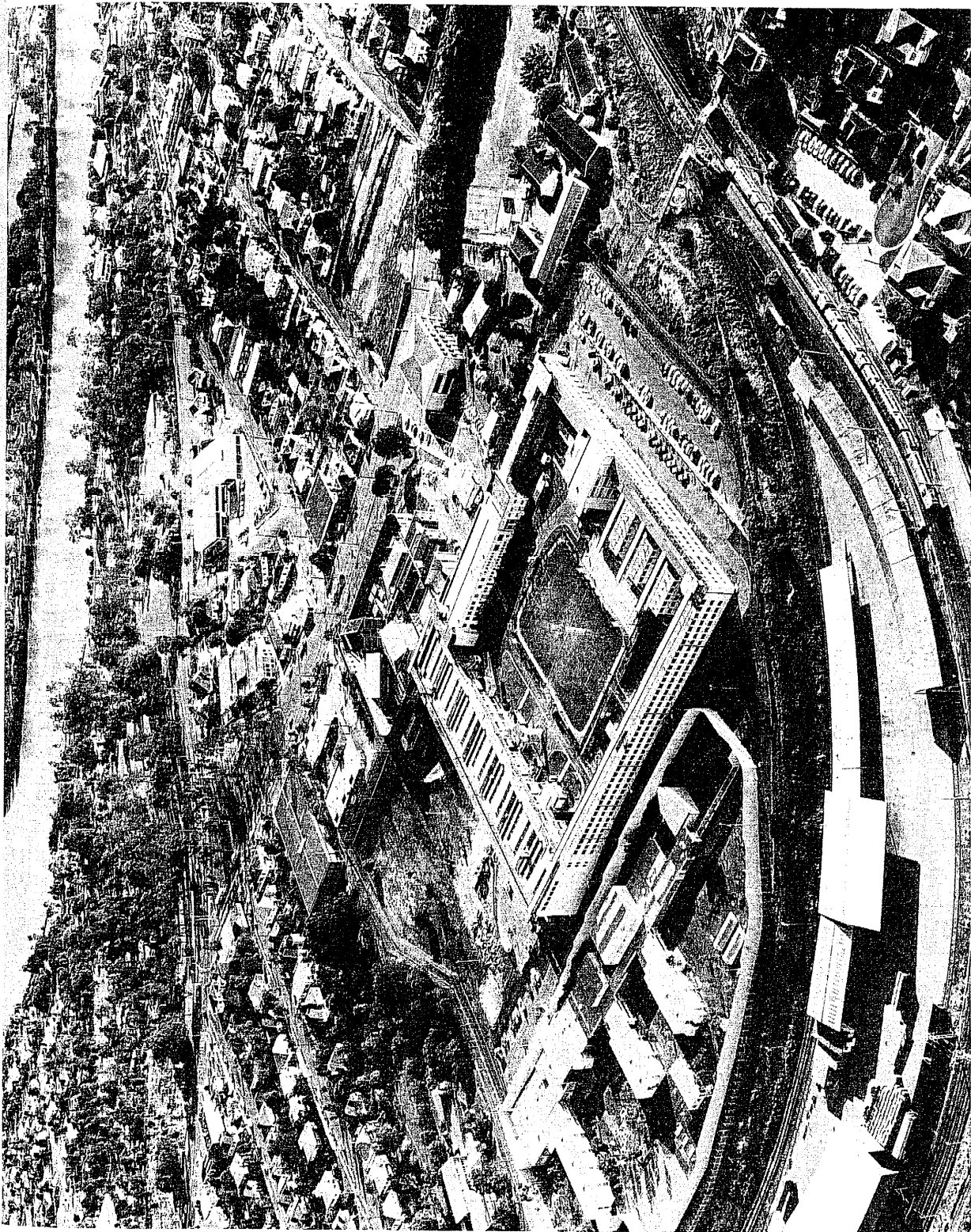
12.4 The Economics of the Project

I am proposing that the site of Boggo Road be cleared of all prison developments and sold for redevelopment. A proposal to sell the land was examined several years ago. I understand a recent valuation placed on the land was about \$8 million. I believe it is worth much more. It is a unique site.

With imaginative development, there is a massive site of about 7.7 hectares, just in the prison alone. There is more Crown land in the immediate vicinity. Park Road Railway Station and its precinct included would make a very large inner city redevelopment prospect. Such a development would be on the major transport corridors, the freeway, and Annerley Road, and on major railway lines with direct access to the redeveloped Expo site.

Some idea of the magnitude of the site can be obtained from the attached photograph Figure 19.

Figure 19: Brisbane Prison Precinct



A site of this nature warrants international tenders and marketing and would wonderfully complement the developments to occur on the Expo site nearby. The Government has an opportunity to take a bold and imaginative step which will dramatically upgrade a major part of the city and provide the people of Brisbane with a dramatically improved urban landscape.

The monies received from the sale of the site together with the thirty-one million dollars saved by avoiding the redevelopment of Brisbane Prison will help offset the cost of a pre-trial centre, and alternative facilities at Wacol for women prisoners.

As no site is yet secured for the Pre-Trial Centre, floor space is not decided nor are designs drawn. It is difficult to estimate a price that could be confidently quoted. The Adelaide Remand Centre of 165 beds was built at a cost of \$16.5 million in 1986. This Centre re-used an existing College building.

The Melbourne centre for 240 remandees is nearing completion at a cost of about \$60 million.

In the rest of this part of the Report I would like to outline my suggestions for building a Pre-Trial Centre in Brisbane.

12.5 A Site for a Pre-Trial Centre

Pre-trial centres are increasingly common. Most American States have examples of this type of justice facility. Adelaide has one operating. Melbourne is building one. Some illustrations are included. (Figures 20-22)

As can be seen from these photographs, such a building can blend into the normal urban landscape.

My Terms of Reference ask that I give specific consideration to the future direction of corrective services, including the "confinement of persons on remand". I give a detailed Report on my view elsewhere in this final report. However, the recommendations and views contained in that section impinge heavily upon my recommendations for the future of Brisbane Prison and must be discussed here.

I am of the view that prisoners on remand have very little to do with the Corrective Services system. Corrective Services are, by their very nature, directed at those who are convicted of a crime. In fact, a very significant percentage of those who are remanded never end up convicted of a crime and sent to Prison. The statistics indicate that in this State only about 21% of remandees end up in prison. I recognise that of those presently confined in Brisbane Prison on remand most will, in fact, be convicted to prison and that they are held in the prison for good reason. But there is an important principle of justice involved for them as well.

Figure 20: Adelaide's New Remand Centre, Situated in Currie Street

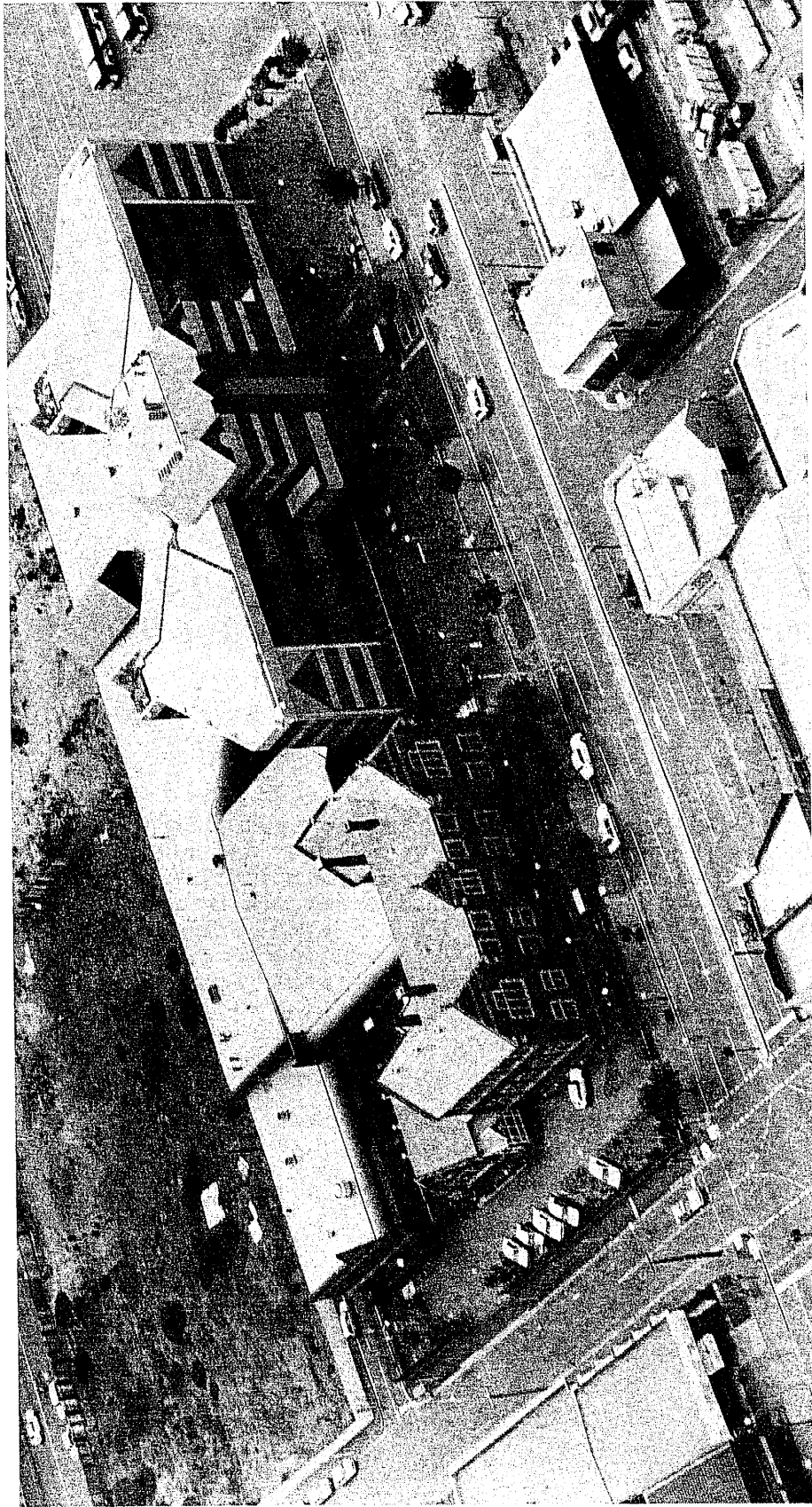


Figure 21: North American Pre-Trial Centres

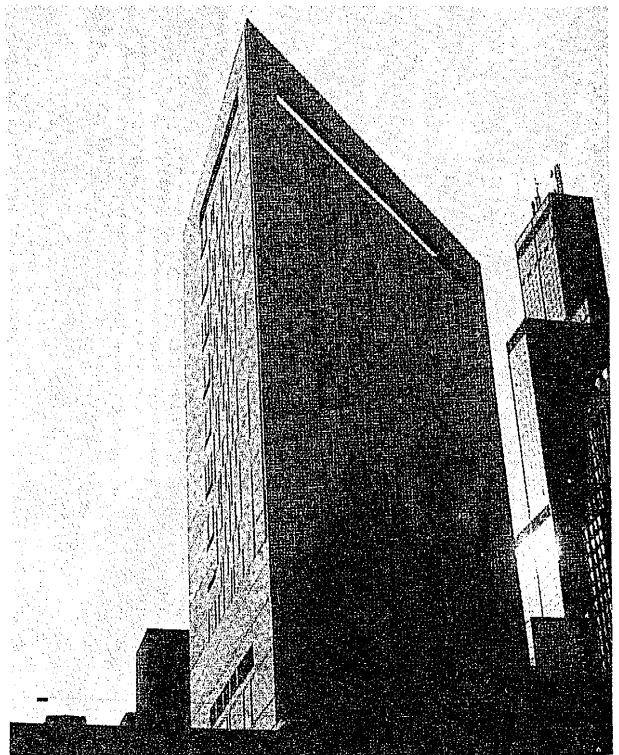
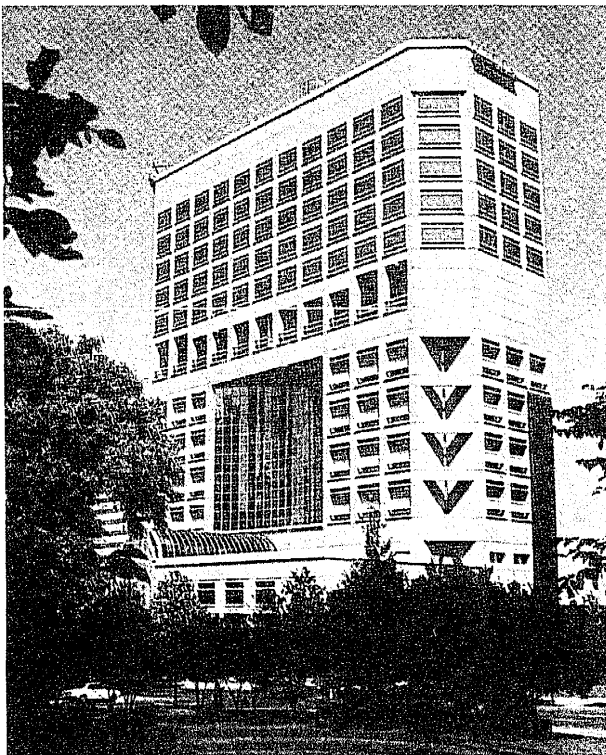
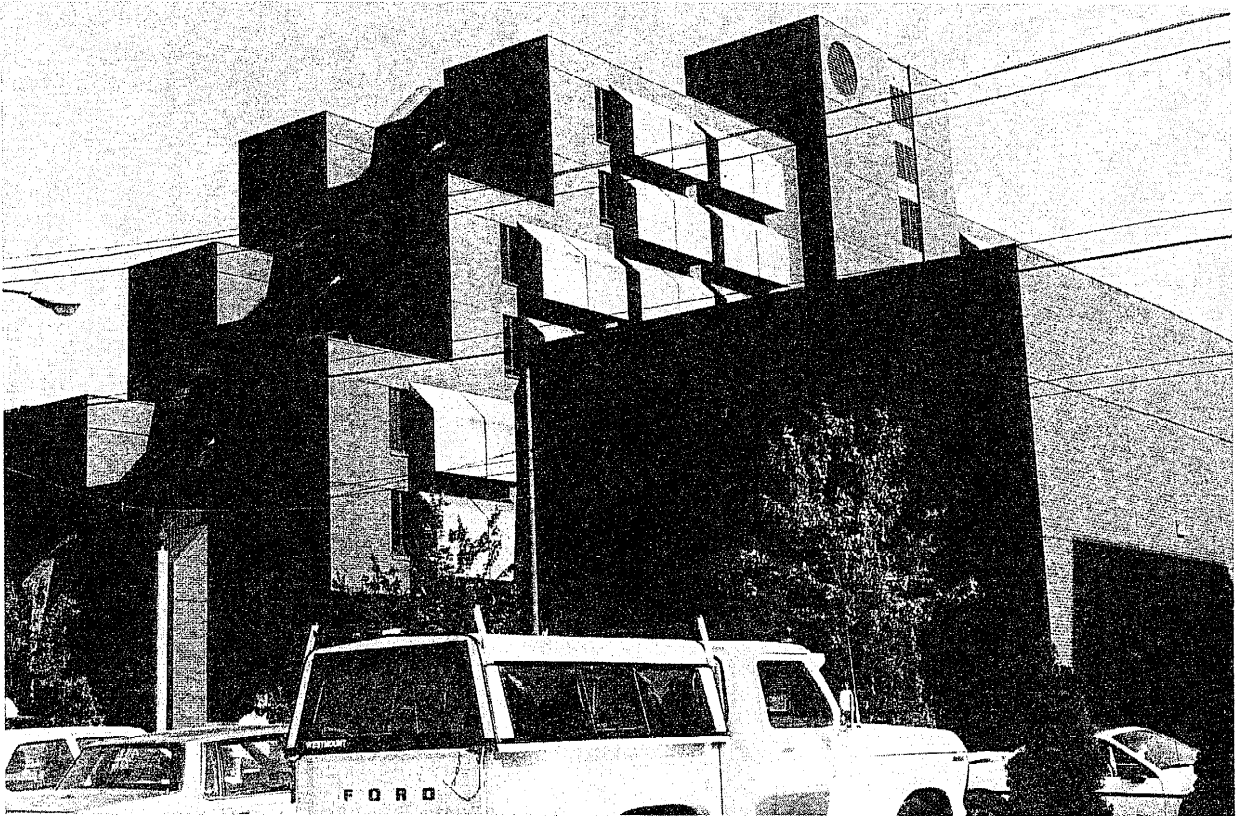
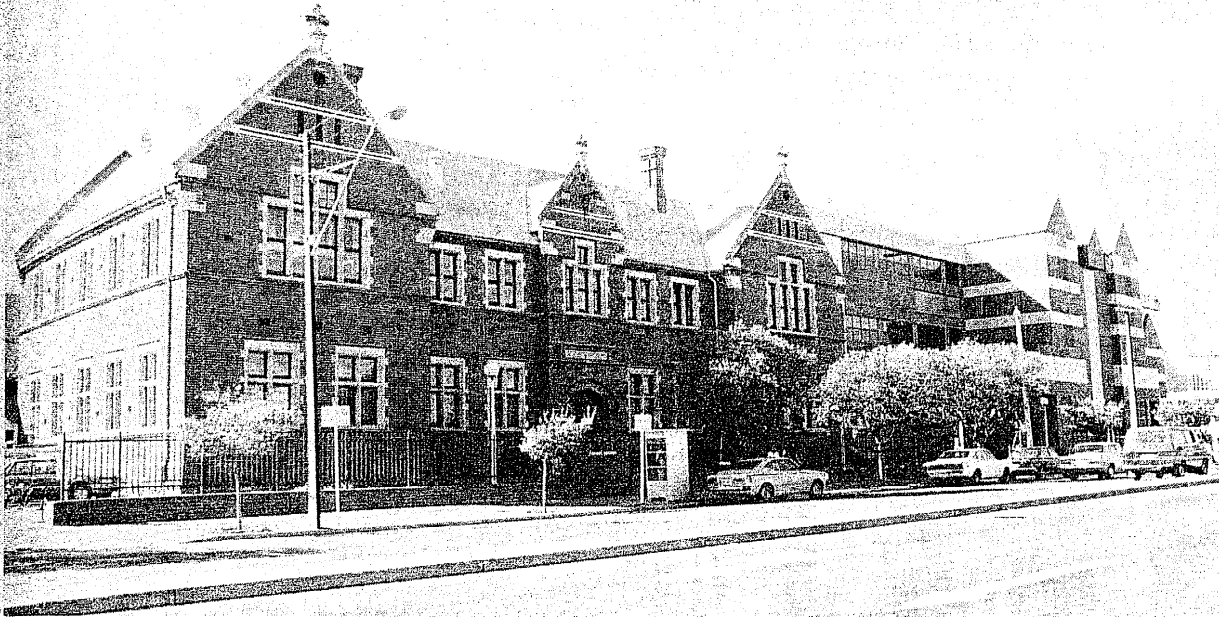


Figure 22: Adelaide's Remand Centre—Preserves an Historical School!



By confining such people in the prison system, there are a number of major problems. They present a security problem in some cases. They are very difficult to properly separate from those who have, in fact, been convicted of crimes. There are many recent cases, both in Queensland and elsewhere in Australia, of prisoners on remand being subjected to assault by virtue of their being confined with sentenced prisoners. Remand prisoners are not convicted. They need access to their families and to their legal advisors. Because of the nature of the design of Brisbane Prison and other prisons in this State, remand prisoners are treated as though they were, in fact, convicted criminals. They wear prison garb; they muster as do prisoners. Their freedom to read, to congregate, to have visitors, to communicate with the outside world, are identical to those of convicted prisoners. This is not right.

There is a trend both in Australia and, more particularly, overseas, for remand prisoners to be totally separated from those convicted persons who are a part of corrective services. This is how it should be. They are really people before the Courts, and whom the Courts have decided to constrain until a decision about their case has been made.

In Queensland a great many prisoners on remand are held in watchhouses. Some are held on remand for short periods in the Court buildings themselves. Longer and more serious cases are held in the Corrective Services system. What I am proposing is that in Brisbane initially, and then perhaps in other parts of the State, pre-trial centres should be established for remand prisoners.

Preferably, a pre-trial centre should be located so as to have virtually direct and secure access to the Courts. It has to have proper facilities for legal visits, with good recreation facilities and with good access for visitors. Such a centre can be run quite differently from a prison. Telephone access could be provided because those held would need to communicate with their legal advisors and families about their cases. Such a centre would, of course, need to be very secure. I have visited the Adelaide Remand Centre which, in many ways, is similar in concept to the pre-trial centre I am proposing. This is in the heart of Adelaide, integrates well with the urban landscape, and provides a reasonable environment for the prisoners.

However, it is to overseas we must look for the appropriate models. This Report contains pictures of some of the centres that I have been able to find out about. As can be seen, they do blend in well with the urban landscape. In Brisbane it could fit into a clearly defined part of the city including corrective services, the justice centre, magistrates courts, the Law Courts, the Federal Courts, and the major law firms, or it could be established at Wacol where land is available. It depends upon a benefit/cost analysis of the alternatives.

The demolition of Boggo Road is the essential component of the scheme. The decision to relocate its operations involves four elements:

- a Pre-Trial Centre;
- a Women's Prison;
- a Reception Unit; and
- a Prison Hospital.

The Women's Prison, the Reception Unit and the Prison Hospital can be located at the Wacol Precinct at reasonable cost, provided additional land can be purchased in the vicinity.

I have examined the options with the Under Secretary of the Treasury Department, Mr John Hall, in seeking the most sensible approach to the location of the Pre-Trial Centre. We discussed the following options:

City Location

The three possibilities that seem technically feasible now are:

- Tritton's site;
- another building site owned by the Government; or
- purchase of land.

Queensland Place may be available.

Wacol Prison Precinct

- Wacol Prison land; or
- other available land in the vicinity.

Each presents a complex range of options to be explored and costed.

After detailed discussions with Treasury and Works Departments, it is apparent the Tritton's site, which is most suitable in terms of location, under a benefit/cost scrutiny, does not look feasible.

In looking at alternatives to this site, we are faced with various compromises:

- the building will be further from the Courts;
- it may be cheaper;
- outside the immediate city, it would be possible to provide campus accommodation with considerable cost savings and considerable benefits in terms of a better living environment for inmates;
- on campus sites the need to provide adequate fresh air, light and recreation facilities will be much easier;

In seeking to balance these, the options that seem possible are:

- another city site with a cheaper land component,
 - but it would need to be close enough to the Courts for a direct tunnel to obtain the benefits of a city location;
 - Queensland Place is really the only possibility; or
- a broad acreage site reasonably close to the city where a prison can be built; or
 - a site on existing Wacol Prison land may be possible; or
 - the Commonwealth land which is for sale could be purchased.

All options have some pluses, all have minuses. The need is to balance these against the financial package necessary to construct it.

All these are technically feasible. But the purchase of Commonwealth land at Wacol is likely to be some \$13 million cheaper. The case for this site is becoming overwhelming.

12.6 Operations of the Pre-Trial Centre

A Pre-Trial Centre could operate as part of the Court system, and the Justice system. However, for the moment the Queensland Corrective Services Commission should operate the Centre. Rather than being serviced by prisoners, as the major prisons are, medical services, food services and cleaning services would need to be provided by contract agencies. Perhaps the cook-freeze approach to food would be appropriate. The facility would need to house about 200 prisoners. The concept could be expanded to incorporate a reception centre for prisoners recently convicted.

People held on remand require easy access to the major Courts, legal firms and the central police facilities. The shorter the trip to the Court, the lower the security risks and the lower the recurring escort and transport costs. Although not sentenced, people on remand do need to be held in high security. If located in the city, an underground tunnel is the best way to transfer prisoners to the courts.

Remand prisoners should be accorded the presumption of innocence and should not be treated in the same way as convicted prisoners. Remand prisoners should be able to wear their own clothes if they wish. This is not possible when they are alongside prisoners who are convicted and are wearing prison clothing. Remand prisoners should not have their access to legal representatives restricted by the visiting rules applying to convicted prisoners. Remand prisoners should not be placed in contact with convicted offenders if at all possible and certainly should not be mixed up with violent criminals.

The focus of incarceration of persons on remand and convicted offenders should be different. Persons on remand are not under punishment.

It is important that the Commission rapidly gain expertise in the operation of these centres. The Minister and I have inspected the two pre-trial centres in Australia, in Adelaide and Melbourne. The other models are overseas, and they must be inspected quickly to ensure the wisdom and experience of the best of them is incorporated and the mistakes excluded. A small group should look at centres in Europe and America. The group could include the Minister and a few senior staff of the Q.C.S.C., and an architect who will be involved in prison design.

12.7 Preservation of the Historical Buildings

In the old 2 Division and at Townsville there are buildings of historical interest that are an important part of the urban history of the State. For this reason at least one of the buildings should be preserved.

I had a proposal from Mr Dave Hayden on my Committee that the prisoners demolish the old buildings under careful supervision. It was suggested one of them could be re-erected on St. Helena Island where there are already relics of the penal past. The re-erection by prison labour would provide long term worthwhile employment for prisoners. The proposal for seeking an appropriate home for the buildings was supported by the Premier when I explained the idea to him. Expressions of interest in the buildings could be sought early in 1989 by the Q.C.S.C. the maximum use possible should be made of prison labour in their demolition, relocation and restoration. Discussions should be held with the Department of Works and the National Parks and Wildlife Service to see if a suitable site can be found.

RECOMMENDATIONS ARISING FROM THIS SECTION

It is recommended that:

- 19 • H.M. Prison Brisbane be demolished by the end of 1991, the site amalgamated with other suitable lands and sold by international tender and that facilities for prisoners, including the Women's Prison, be relocated to existing prison sites at Wacol and that the Government approve the establishment of a pre-trial centre preferably in the court/police precinct of the City of Brisbane but alternatively on suitable land to be acquired elsewhere in Brisbane to hold people remanded in custody by the Courts.
- 20 • Prison labour be used to demolish No. 2 Division under supervision; and
 - expressions of interest be called for the removal and preservation of the buildings; and that
 - prison labour, if possible, be utilised in any reconstruction of the buildings on a new site.

13. THE NEW PRISONS

In this section I will make some comments on the physical design of the new prisons. In Section 23.2 I express some comments on the staffing at those prisons.

The three new prisons under construction at a capital cost of \$81 million should take care of the need to provide secure single unit accommodation for all prisoners. This will solve the present serious crowding problems.

I have visited the Wacol construction site, and had extensive briefings from Departmental people involved in the design and the architects. They are enthusiastic about the design and I am satisfied they are attempting a major improvement in the way prisons look and operate. As I noted in the Interim Report, only time will tell whether the innovations in the perimeter security and the Self Contained Accommodation Modules (SCAMS) are going to prove totally successful.

However, I accept that the adoption of the module system of design and construction has major advantages. Each module will house up to 24 prisoners. The use of smaller units of prisoners and closer supervision by officers will enable individual planning (case management) for each prisoner's progress towards re-integration into society. It will enable a much better segregation of prisoners into manageable groups for their own protection, the protection of staff and the good management of their Centre.

In my Interim Report I accepted that the extra supervision and the involvement of officers with prisoners in a meaningful way would require additional staffing compared with the very old prisons where prisoners are herded into yards and cages and supervised by relatively few officers. Nevertheless, I need to note that Thiess Contractors Pty. Ltd. made submissions critical of some of the new design concepts. I also had several meetings with Mr Bill Curnow, Mr Peter Lattey and Mr Bill Plant of that company. They said that the design is reminiscent of a combination of the "North American Telegraph" design and the "pod supervision" where officers are close to prisoners but enclosed in a separate glass office. They said the "new generation" prisons removed these barriers in favour of "direct supervision" which the design of Queensland's new prisons impeded. They argued that the design still separates officers from the prisoners they are supposed to be supervising, that the design causes over manning and that while capital costs of the design are low the operating costs will be high and will more than offset this.

They were arguing for the Q.C.S.C. in future to draw heavily on the design experience available in their own consortium and other companies which can access the considerable experience available both in Australia and overseas in the design and construction of prisons. The Thiess Management Services team is very impressive and includes WMFL of Spokane (which designed the Portland Justice centre); Thiess Contractors; Mr Bill Curnow, an architect formerly with the Victorian Office of Corrections and others experienced in the design and operation of prisons in Australia, Canada and the U.S.A. They sent me documents in support of their arguments.

In response to this issue I have made the following conclusions:

- I am indeed amazed at the way that senior staff in the Queensland system lack first hand experience of what is happening in other parts of Australia;
 - it is one thing to read about it, another to go and see and work in the environment and speak to practical people working in the system,
 - I am told that the money has never really existed for travel;
 - the Q.C.S.C. must have an active program of interchange with staff from other systems and an active program of study tours that included, not only senior managers in the head office, but prison administrators and union officials;
- the new prisons are well under way,
 - they cannot be easily changed, and
 - anyway, as I have already commented, only time can tell who is right;
- however, the Q.C.S.C. must have a strong private sector orientation and, in designing and constructing new facilities, it should utilise expertise where it can best be found.

One other aspect of the concept causes concern. This relates to the intention that Borallon and the new Centre at Wacol are designed to operate together as a unit. Neither is completely self-contained. Section 16 comments on this. Finally, I feel that Borallon Correctional Centre could be operated by private enterprise. Section 16 of this Report explores this option.

14. MAINTENANCE OF THE PRISONS

After demolition of No. 2 Division and the Maximum Security Section of Townsville, maintenance at the existing prisons will become a priority. The remaining buildings, while in reasonable condition, are starting to show signs of age. Wacol Prison is now thirty years old and needs some refitting. Buildings in all existing prisons are not well designed to accommodate the program requirements of modern corrective services. For instance, Rockhampton lacks proper accommodation for classes. Also, the accommodation blocks at Rockhampton should be capable of taking individual kitchens and performing as live-in units. I believe this kind of maintenance and rebuilding can be handled well by the Q.C.S.C. very efficiently with a reasonable capital and maintenance budget.

Many submissions from prisons draw attention to the inadequacy of facilities in cells. The photographs earlier in this Report show just how good some are. But even the newer prisons were designed for a different age and a different approach to imprisonment. Cells lack power points for operating radios, television sets, computers and reading lights and hobby equipment. If we are in the business of corrections, the rooms in which prisoners are confined need to be more than wardrobes in which they are locked up for the night.

The prisons now nearing completion provide satisfactory accommodation. Each cell features power and two-way intercom outlets, reticulated water, a shower and toilet—appointments unthought of for cells in an earlier age, but now considered to be basic necessities.

While older prisons will be difficult to modernise, to the extent possible, older prison cells should be upgraded with power point, reading lights etc.

15. THE OPTIONS FOR PRIVATISATION OF SERVICES

15.1 The Issue of Private Sector Corrections

The Terms of Reference for the Commission of Review specifically directed that I consider the: "cost effectiveness and desirability of introducing private sector involvement in the operation of all or part of the prison system."

The opportunities for introducing private sector involvement are substantial and should lead to an increase in the cost-effectiveness of the service as a whole. The service will be more efficient for two reasons:

- in some particular areas the private sector can do it cheaper and better;
- in some areas private sector operation will introduce a strong element of competition against which to measure the performance of the public sector, and ensure it is dynamic.

The Interim Report indicated a range of areas where private sector involvement could usefully be set up. These included:

- specialist security services;
- escorts;
- supervision of community detention; and
- counselling and health services.

The beauty of an interim report is that it can canvass issues that prompt further developments of a theme. In this and the next Section of the Report I will further examine specific services for private sector involvement. The next Section looks at the possibilities for private sector operation of a Correctional Centre.

I noted in the Interim Report that I was holding discussions with several companies. I also noted that I felt the market was thin and as a consequence, the options for involvement in the private sector were fairly constrained. Moreover, I expressed serious reservations about the wisdom of confining certain prisoners into the total care of a corporation.

I have now had the benefit of detailed discussions with some major companies with an interest in participating in correctional operations. I have had more submissions which explore and develop the options for privatisation and I am now of the view that the Queensland Corrective Services Commission must actively seek involvement of the private sector in its operations. It is necessary that I go over the arguments in the Interim Report and add to them so that what I am proposing is clear.

In that Report I noted I had many submissions making reference to private sector operations of the prison system. I would like to quote from some of these:

"The Union totally opposes the concept of privatisation of the Queensland Prisons Service. The Union believes that the only way in which a private enterprise organisation could operate at a profit would be to reduce staff and to have some sort of mechanical security devices in lieu of labour, which would increase profitability. The Union considers that this would place a greater safety and security risk on the community at large . . . A Prisons System is the responsibility of Government and is not something that is appropriate to be transferred to private enterprise. The Prisons System is an integral part of the administration of justice in the State, and therefore it is essential that the Government be responsible for the administration of the Penal System . . ."

(Queensland State Service Union)

and

"3.10 Much has been said and written about "privatisation" or "private sector involvement" in prisons. It would seem from perusing the literature the only major savings claimed are in reduced administrative costs. It is difficult to rationalise this claim when comparing the cost of comparable meals produced by the Prison Service and the Frozen Food Facility (a privately run organisation). The cost of producing a meal by the latter is almost double the cost of producing a meal in Brisbane Prison. In addition and most importantly, cooking meals provides full-time employment for a large number of prisoners.

3.11 Another consideration must be the Government's obligation to provide a guarantee of safety to the community at large. This being the case, it would seem essential that both maximum and medium security classified prisoners be accommodated in Government run institutions. However, some consideration could be given to private sector involvement in the management of minimum classified prisoners."

(Department of Corrective Service and Administrative Services)

and

"Historically in the western world, there has been an increasing expectation and acceptance of the role of government in relation to decisions about people's freedom and powers of coercion in relation to that freedom. The hard-line position is that such responsibility should not be contracted at all; a position supported by a multi-functional view of the law in society. It is argued that when an offender is sentenced to a correctional programme, the State is exercising and asserting its authority, both actually and symbolically, and that the symbolic function is important. It is further argued that the authority, as well as the integrity, of the criminal justice system would be weakened if offenders reported from courts to a private corrections company rather than a State-run community corrections service.

Further weight is added to this line of reasoning with the shift in the last half-decade from a welfare to a justice model of community corrections. (This Service has adopted an integrated welfare/justice model). By definition, the latter implies increased accountability, less discretion in decision making, and an increased emphasis on "due process".

Lawsuits in the United States of America have established that even where legislation exists to commit the State to contract responsibility for correctional programmes to private companies and organisations, it cannot contract out its ultimate responsibility for the welfare and safety of offenders.

The National Institute of Law Enforcement and Criminal Justice pinpointed monitoring as the most troublesome and contentious area of contracting. There was some consensus among contracting agencies that a high level of supervision is necessary to ensure performance by private programmes. Monitoring often includes on-site contacts with clients.

A major problem encountered in monitoring contracting for human services is determining whether the services were ever delivered. This problem is especially acute in non-residential programmes, or in programmes delivering services which are difficult to measure by outcome. Clients are often transitory, making follow-up difficult, and not oriented to assisting public agencies to determine whether they got their money's worth. This issue may be quite critical where a criminal justice agency contracts with a programme staffed by people indifferent to the agency's concern for surveillance and supervision or who are opposed to social control priorities.

What the public interest is, however, and where day-to-day government power should reside, are complex questions, the resolution of which will say a great deal about how we as a society, wish to be perceived.

It is suggested that the appropriateness of contracting human services depends on the nature of the Service. Services may be crudely divided into two classes:

"Hard" services—which provide services that can be clearly and precisely defined and quantified.

"Soft" services—which involve therapeutic interactions, interventions and counselling.

It is proposed that only the "hard" services are appropriate for contracting under the market model.

The contracting organisation clearly has a responsibility to monitor whether value is being received for the money and that the contract is being honoured. Criminal justice agencies have a special concern with the level of control the programme maintains over referrals and agencies handling referrals.

The Service recommended that:

That the Probation and Parole Service explore the possibility of contracting:

- (a) private organisations to establish and manage appropriate sub-programmes; and
- (b) Service Clubs and other appropriate organisations to have complete responsibility for community service projects."

(Submission from Queensland Probation and Parole Service)

and

"Current knowledge indicates the greatest impact of privatisation has been in the area of community corrections and program delivery in institutional settings. There are very few examples of successful private jails and those that do exist are small county jails in the United States.

The arguments surrounding privatisation of corrections are many, but two critical issues are at the forefront.

1. *Evaluation/Monitoring*

The concern is with the difficulty encountered in monitoring the effectiveness of service delivery as well as ensuring that the service is actually delivered to the client. In the main, these problems are the result of government agencies being inexperienced in the business of contracting and evaluation, as well as new community agencies lacking the capacity to meet accountability guidelines.

2. *Devolution of Authority*

The extent to which the State can or should contract its responsibility and authority in relation to offenders has been the most hotly contested area of privatisation. Often the difficulty of resolving this issue both politically and organisationally has resulted in very restricted pursuit of contract or fee for service alternatives to State programs.

Frequently the easiest option is to identify adjunct or peripheral services such as education, psychological or adjustment programs which can be contracted, leaving the supervisory and authority roles with the Government agency.

This argument has been applied to restrict the entry of the private sector into both community corrections and operations (management) of secure institutions.

Areas identified for Private Sector Involvement:

1. *Prison Industries*

The development of prison industries has been dependent on developing contracts where there is no identified private sector competition.

This difficulty could be overcome by investigating the potential for joint ventures where private companies could establish contracts for production with prison industries. Capital costs would be significantly less for the company and prisoners would be able to earn award wages.

2. *Training of Correctional Staff*

Significant areas of training that are of a non-custodial or correctional nature should be contracted or tendered.

Management development training and professional development are two areas suitable for tendering.

3. *Program Services*

The retention of a core of professional program staff at each institution is essential to maintain a knowledge base of correctional treatment and provide direct service to individual prisoners as well as co-ordinate and monitor externally contracted services.

The development and enhancement of these core services should be done solely by fee-for-service or contract sources. In the medium term, once assessment and case management systems are in place, contract services should be seen as the primary agents for future program delivery in both prisons and community corrections.

4. *Community Corrections*

The areas that involve tracking and monitoring functions, such as intensive supervision and probation, should be investigated to determine the level of privatisation possible."

(Prisons Department Submission)

I also received submissions from prisoners who were strongly advocating private sector involvement:

"Therefore this alone indicates that the private sector should become involved in the running and management of all prisons. If private companies man the prisons, they would see that they were efficient. The potential in labour force alone affords a great opportunity within the prison system to show a profit, and so not cause the taxpayers to take the brunt of additional tax slugs, to continually prop up a prison system which doesn't work, but is also inefficient.

The potential of skilled labour within prison is unbelievable, but the prison system hasn't the jobs available to use this labour, with the intensity with which it could be utilised. You have plumbers, carpenters, electricians, mechanics, engineers, tailors, cooks, etc. doing jobs which are somewhere remotely associated, with their normal day to day employment on the outside I would deem this as gross inefficiency, and a total waste. I believe private control would rectify these areas, and I believe that prisons should be an extension of the education system which can be of great assistance in the training of young offenders, and the like, into proficient tradespersons, through technical schools within the prisons. Industrial prisons should be just that (industrial). Rural Farm Prisons serve their purpose very well, but could be improved with efficiency. Sheltered Workshops should be set up for Intellectually Handicapped, Drug Offenders (drug affected), Alcoholics, Aborigines and other disadvantaged prison groups, who would not fit into a normal prison system."

(Submission from A. J. Ellis and J. A. Vandervalk)

15.2 Services That Can Clearly Involve the Private Sector

There is no argument that the private sector can efficiently and effectively service some of the needs of the corrective services in Queensland. In the debate about what is appropriate for private sector involvement, however, I suspect there is a major element of protecting one's own patch of turf. The Probation and Parole Service says "soft services" cannot be operated by the private sector. The Prison Service says do not privatise the "hard" services such as prisons. It is necessary to cut through the ideology that clouds the debate.

The Q.C.S.C. needs to develop a *whole range of correctional facilities*. These must include high security prisons to contain violent offenders in a safe way. They must range to small specialist facilities that are part of the community and that provide a correctional environment. The services to be provided include detention in the offender's home and the provision of hostel type accommodation. Furthermore, the Q.C.S.C. must purchase or provide a range of goods and services which are inputs to its operations. There is little doubt that many such services can be provided by the private sector.

For the Q.C.S.C. to be efficient, in each area of service use, it must conscientiously question whether that service might not be better purchased in the market place, or whether it would be better to use its own resources of labour and management. This will involve development of shadow pricing for particular services but, more particularly, seeing if companies can be persuaded to tender against each other and against the Q.C.S.C. I am totally confident that in a number of areas this will provide a very competitive edge to what the Q.C.S.C. itself does.

In many areas traditionally within the Government sector and the Prison Service there is a *prima facie* case cost comparisons will result in the Q.C.S.C. purchasing from the private sector. Obvious examples include:

- education programs for prisoners;
- health care services and especially "general practice" services;
- audits of management and operations;
- legal services;
- consultancy services including computers, industrial relations, and management advice;
- psychological assessments and counselling; and
- staff recruitment and training.

Some service areas would benefit from the employment of casual, part-time and volunteer staff. This is just another form of privatisation. It introduces flexibility and competition. These areas include:

- part time and casual prison officers for escorts, relief duties and peak periods; and
- part time and casual community corrections officers and community service order supervisors.

I am a strong believer in this approach. There are resources in the community ready and willing to work at short notice and at odd hours. The Q.C.S.C. must have the flexibility to utilise them. Staff who are employed under such arrangements should have the appropriate powers and indemnities to do the job properly. The legislation that accompanies this Report has been drafted to ensure it can do this. The Q.C.S.C. can ensure they are competent to do the job properly. It is absolutely critical that private staff be required to receive appropriate training to enable them to do their duties to a high standard.

15.3 The Provision of Security Services

Division of the uniformed operations of prisons into Security Officers and Supervisory Correctional Officers has been recommended. I have received a submission from Wormalds Security arguing strongly that the security arm should be operated by the private sector. I have included their submission in full as part of the Attachments to this Report. Areas of operation that could be provided under such arrangements include:

- Perimeter Security;
- Control rooms;
- Gates; and
- Escorts to courts, hospitals and between prisons.

Some of the relevant arguments from their submission appear below:

"In reviewing your very incisive Interim Report, we became cognizant of two identified problems, in particular, within the Corrective Services area, viz.:

- "A poor and sometimes erroneous public image" and

- "There is even conflict over the role of uniformed prison officers. Some see themselves as helping prisoners. Others believe prisoners are there only for punishment . . ."

From our external observations and our recent review of the Department's recruitment and training processes, we would suggest that the problems of image and role conflict, whilst extremely complex in nature, may be somewhat inter-related. Certainly, some of the duties performed by Prison Officers, by their very nature, do not effectively utilise the entire range of skills currently being imparted, at significant expense, through training programs.

It is our contention that some of these assigned duties, e.g. gatekeeping, roving patrols, control room monitoring and escorts, could be more effectively handled by private security personnel. The degree of training for these types of basic security surveillances is considerably less than the extensive training inherent in the functions of a Prison Officer. These types of surveillances and services are currently effectively carried out by a number of major Security organisations within this State.

We draw the conclusion, therefore, that the Department is mis-directing, in part, its allocation of training funds by under-utilizing the trained skills provided to each Prison Officer. In consequence, we would suggest that the engagement of Prison Officers for duties not directly related to their primary role may well be detracting from the Prison Officer's self and public image, e.g. "turnkeys" (p. 33). Furthermore, the introduction of Unit Management in the new prisons is further likely to exacerbate the inherent conflict between security and corrective services . . .

The release of functions not based on the "core" elements of their duties, will provide considerable resource and financial efficiencies. Our perception of these "non-core" activities and the benefits of utilising specialised Private Security Contractors are set out below . . .

. . . the Department is substantially under-utilizing its carefully trained and specialised Prison Officers in what can only be described as gatekeeping functions. Furthermore, this practice, the use of permanent, non-rotated staff labour, has a tendency to allow a degree of over-familiarisation which can seriously erode the integrity of the access control security.

Wormald Security has extensive experience in the provision of such gatekeeping services at many major installations within this State, including the Queensland Electricity Commission Power Stations at Gladstone, Callide and Tarong, the Queensland Institute of Technology and, until its opening recently, the New Brisbane Airport Development Site for the Department of Administrative Services and many major Industrial complexes. In addition, our Company has, for many years, been charged with the responsibility of providing critical and highly sensitive luggage and personnel searches for all Qantas flights in Queensland, Australian Airlines in Brisbane and now all other major Airports throughout the State.

It is our strong recommendation, therefore, that the Prisons Department gives serious consideration to the engagement of a reputable private Security Company to conduct the gatekeeping duties at the various new prison establishments . . .

The advantages arising from such a change would include:

1. The redeployment of Prison Officers for more direct corrective service duties and the consequential utilisation of their extensive training in that field;
2. The avoidance of the security problems attached to the over-familiarisation of staff, by rotating guards on a regular basis. The separation between staff and the guards eliminates personal ties and professional contract guards are much less vulnerable to active or passive involvement in breaches of the establishment's rules;
3. Significant cost economies, as the private contractor would be responsible for the Gatekeeper's:
 - 3.1 wages and overtime;
 - 3.2 holidays and long service leave;
 - 3.3 payroll and group tax;
 - 3.4 workers' compensation and superannuation;
 - 3.5 uniforms;
 - 3.6 recruitment, selection and training;
 - 3.7 rostering and rotation;
 - 3.8 supervision;
 - 3.9 relieving personnel due to absenteeism, e.g. holidays, sick leave, thereby avoiding the cost to the Department of having to train and maintain additional personnel;

External Perimeter Patrols

As with gatekeeping, it is our observation that the external perimeter patrols conducted by Prison Officers is beyond the scope of their primary role. These duties are common to those performed by our Security Officers. The essential qualities inherent in this activity are simply taught and primarily include: the powers of observation; alertness; and the ability to react quickly and communicate clearly . . .

. . . several prison establishments require a fully manned communications/control/emergency response station. These duties do not entail direct involvement with prisoners, rather they serve to provide a security administration and surveillance function.

Wormald Security provides staff with considerable experience in the fields of alarm monitoring, emergency response station. These duties do not entail direct involvement with prisoners, rather they serve to provide a security administration and surveillance function.

. . . we currently conduct such contracted services for a number of major commercial premises, including some of Queensland's highly sensitive Bank Computer Centres.

. . . not only significant manpower resources of the Department of Corrective Services, but also those of the Police Department, are ineffectively utilised in providing external prisoner escort duties. We believe that these duties include the transportation of prisoners to other intra-state gaols, court appearances, hospital and dental attendances, admissions, discharges, receptions and the like. Surely such valuable resources in Corrective Services and the Police can be far more productively engaged in their respective roles of "correction" and "apprehension". In addition to this transportation, the provision of guard escorts appears to be an extremely time consuming exercise.

These matters of transportation and escorts could well be directed to trained Private Security Contractors. As an illustration, the Wormald Security Group maintains branches at most major provincial centres throughout Queensland (refer Appendix B). Our structure in each area includes the provision of mobile patrols, which are carried out by our uniformed Security Officers in vehicles marked with the Company insignia and equipped with two-way radio.

The merits and inherent cost efficiencies associated with the Home Detention Plan are potentially quite significant.

These cost efficiencies may well be enhanced by the use of Private Security Contractors in two aspects and, preferably, a combination of both, viz. electronic surveillance and physical personal checks.

Current technology provides, at very economical rates, the ability to monitor "house arrest" prisoners in such a way as to restrict them to their place of residence during specified periods of the day and night. This same technology enables: (a) positive identification of the prisoner; and (b) human analysis of his or her condition through voice responses.

Major Private Security Contractors, such as Wormald, offer the unique ability to initiate and monitor such remote electronic supervision through the most modern and technically advanced Central Monitoring Station, manned 24 hours per day, 7 days per week by highly trained and professional operators.

In addition, or excluding above technology, companies such as Wormald Security can offer that vital and time consuming task of physically checking on each Home Detention detainee. As shown in Appendix B, the existing infrastructure is amply sufficient to handle the physical monitoring facilities of the majority of the Department's requirements. In addition, each vehicle is capable of direct two-way radio telephone communication with our Central Station from all major provincial centres.

The cost efficiencies largely depend on whether or not both forms of resources, i.e. electronic and physical, are utilised and the number of prisoners or visits specified, but, nonetheless, are expected to be quite substantial.

In general, we concur with the recommendations outlined in the Interim Report regarding private sector involvement within the prisons system. There are, however, as stated, areas where the engagement of private Companies would produce "substantial efficiency gains" and we believe that the specialist security functions outlined above fall within this category.

. . . We are confident that the Private Sector can be of considerable benefit in various aspects associated with the operations within the prison system—in terms of resource and cost efficiencies. We caution, however, that the sensitive nature of the prisons system dictates the involvement of highly reputable, statewide and professional private enterprises which could not afford, in any way, to compromise the Department's operation and integrity."

(Submission from Wormald Security)

I think the arguments are valid. My chief concern with the submission is that it does not go far enough. They indicate an unwillingness to become involved directly with prisoners on the night shift or within the prison walls.

Nevertheless, the legislation I have drafted explicitly gives the Q.C.S.C. powers to use private sector operators to provide many services.

In the cases where this is done, I envisage that the company would enter into appropriate contracts with strong performance specifications. I would also expect the Q.C.S.C. to train and accredit all staff of any company engaged on Q.C.S.C. duties. The standards should be as high as for its own staff. They must be free from any taint of corruption, or mis-dealings with the law. They also should be trained to the standards of the Q.C.S.C.'s own staff at the Company's own cost. I envisage a system of individual formal accreditation of all contracted corrections personnel with the Q.C.S.C. to ensure standards are high. The draft legislation is written appropriately. Section 24.7 on training staff further explores accreditation courses.

15.4 Home Detention Program

The Home Detention Program suffers from an unsatisfactory legislative base as well as being badly managed. I will cover this in more detail elsewhere in this Report.

It is a program suitable for private sector involvement and should utilise modern technology. I had a range of submissions about the possibilities for electronics.

Wormalds made a strong submission that it can more efficiently be operated by private enterprise. I believe this recommendation is appropriate and I strongly recommend the Home Detention Program be operated by the private sector.

RECOMMENDATIONS ARISING FROM THIS SECTION

It is recommended that:

- 21 • The Q.C.S.C. have the power to utilise private sector services in order to promote competition and efficiency.
- 22 • The Q.C.S.C. actively seek private sector involvement in the provision of a wide range of services currently provided by the public service including:
 - security services; and
 - escorts;
 - The use of part-time and casual employees to meet short term needs for staff be encouraged.
- 23 • The Q.C.S.C. immediately seek expressions of interest in the private sector operation of the Home Detention Program and that it then proceed to place the operation of the program out to tender, subject to close monitoring by Q.C.S.C. staff.
- 24 • All private sector staff and part-time and casual staff employed on Q.C.S.C. matters be required to be trained to Q.C.S.C. standards, the training for private sector staff be at the company's expense; and that the Q.C.S.C. develop a system of formal accreditation for people authorised to work in corrections.

16. PRIVATE SECTOR CORRECTIONAL CENTRES

16.1 Privatising Borallon Correctional Centre

I have said already that under the present system and with present growth rates, new Centres will need to be planned and erected well before the end of this century. Indeed I am told that thought is already being given to the need and possible designs and location of a "fourth new prison".

However, our expensive "fortress type" prisons house many people who present little threat to the community. Most are on short sentences for non-violent crimes. It has to be possible to establish a penal system better suited to this type of offender. This would significantly reduce pressure for another high security detention facility and would significantly reduce the cost per offender.

While additional Correctional Centres may be required as part of an expanding range of community based facilities, Queensland should not need to build any more "fortress" prisons in the next decade. The inevitable future growth in the correctional needs of this State can be met at a lower escalation of costs than has been the case up to now by using community supervision, community based detention and modern equivalents of the prison farm and particularly if young people and fine defaulters are kept out of high security prisons.

The Minister and the Premier have accepted my recommendation to close H.M. Prison Brisbane within the next two to three years. As a result, there is now a need to reassess the plans for the two new prisons being built in South East Queensland. These plans were developed prior to the commencement of this review and well before the decision to close Boggo Road was made.

H.M. Prison Brisbane (Boggo Road) is a high security prison. The new Wacol prison (Centenary Correctional Centre) and the new Borallon Correctional Centre are both designed to house High and Medium security prisoners. High security prisoners have higher operating costs and are managed with a higher degree of security than Medium or Low security prisoners.

Recently the Minister and myself visited Mobilong Prison in Adelaide. It is a new Medium Security, Unit Management type prison. Before that visit I was concerned about the existing plans to make *both* of the new South East Queensland prisons high security prisons. I discussed my concerns with the Comptroller-General and his staff. The proposal seemed to run counter to the new direction being sought in the management of prisoners whereby the "Military Model" of operating a prison was being replaced by the "Welfare/Justice Model". High security prisons usually contain the difficult or intractable prisoners—the "heavies". Nevertheless I respect the views of the Comptroller-General Mr Alec Lobban and record his written comments:

"The two new south-east Queensland Prisons are designed in such a way that they would fulfil specific functions for the region. Wacol II (which I hope will officially be called Centenary Prison) is to be the Maximum and Medium Security work-oriented prison. All of the support facilities were designed in that way. "Soft" industries were designed for maximum security prisoners and "hard" industries were designed for the medium security ones. A very big financial commitment was made to that concept. We wanted to keep maximum security inmates well away from the "hard" industries—which give access to tools and cutting gear.

If we have to make Wacol II all Maximum Security then we erode the security precautions we built into the design to keep that classification away from the tool-based workshops.

Secondly, we would have to make modifications to the design of the accommodation blocks in the Medium Security area at Wacol II. Relatively light security wire encloses the yards there. This would have to be changed for Maximum Security.

Thirdly, we would have to re-arrange all the staff rostering for Wacol II and more staff would be required. The Medium Security sections there have twenty-four prisoners to a block. This is double the numbers in the Maximum area. The Union would rightly indicate that we should not have the same staffing levels for twenty-four maximum security prisoners as we were planning for twenty-four medium security ones.

Fourthly, because Wacol II was the working prison and Borallon was the education/rehabilitation prison, Wacol II has relatively few facilities for education, group work, psychologists etc. These are built into the Borallon design. It had been planned to separate those prisoners whose main desire was to work and pick up work skills from those whose energy would be best geared towards education, counselling etc.

Fifthly, Borallon is designed as a Maximum/Medium environment which would be a waste of money for minimum security prisoners which we can and do hold in much more open environments.

Sixthly, it is not a good idea to have all of your maximum security eggs in one basket. I would rather have them divided a little. They feed off each other's mood. The lower the number in the one place at the one time, the easier the management.

Seventhly, as Wacol II has few facilities for education, group work etc, Borallon has few facilities dedicated to working prisoners. Its emphasis is otherwise oriented. Borallon will incorporate into its client list many of the inadequate, ineffectual prisoners who find it difficult or impossible to manage in a pure maximum security environment. This is not to say they are not security risks themselves and in need of maximum supervision. However, if they were to be dumped into Wacol II, they would probably become protection prisoners, while Borallon's profile will enable them to operate in the full life of the jail. Borallon was designed to make significant reductions in the protection prisoner population in other jails."

(Advice from the Comptroller-General)

Following the Mobilong Prison visit, and particularly bearing in mind the proposed closure of Boggo Road Prison, I can not totally agree with those views. We have continued the debate and both of us now agree that provided a careful classification of medium and high security prisoners is achieved, Borallon can be established as a Medium Security Prison. I quote from his latest correspondence:

"I have been thinking about our talks regarding how we would include some of the "low maximum security" prisoners from Brisbane Prison in Borallon Prison.

Trevor Carlyon and I have had a look at the maximum security population in the South-East Queensland Prisons and there are 50 to 60 suitable prisoners. They are a mixture of life and long sentence prisoners who are only 'A' classification because of their length of sentence . . .

The present belief amongst Superintendents is that if we move these long term offenders down the classification scale at an early time, they will have "nothing left to strive for". This is a limited understanding of handling of offenders. It is not an appropriate goal for all offenders to progress to a 'C' classification and move to a State Farm. Our classification system has to allow prisoners to be transferred, not only on the basis of security, but on the basis of what will also progress their development. Some of the prisoners should set goals for their stay that are based on development of educational opportunity, trade skills or a better appreciation of their place in society, etc. This can not always be achieved in a Farm environment.

Most of the offenders we have considered have little or no previous offending history. Their offences were clearly situational although this is not to devalue their seriousness.

We could easily declassify them from 'A' classification to 'B1' and transfer them to Borallon on this basis.

However another factor which has to be considered is the public perception of offenders of a serious nature being "downgraded" from maximum security. Community retribution is a big need and although the arguments are not based on knowledge of the facts about the prisoner or about corrections generally, the emotion attracts a deal of media attention.

There are two choices:

1. Declassify this group of offenders to 'B1' classification and call Borallon a Medium Security Prison.
2. Classify this group of prisoners as "Long Term Medium Risk" and include this in Borallon's charter."

I believe that Centenary Correctional Centre (Wacol II) should be a High/Medium Security establishment operated as such and containing both high security and medium security prisoners and that Borallon should be exclusively a Medium/Low Security establishment with *no difficult high security* prisoners.

A high security prison contains the worst, the most dangerous, the most disruptive, the most unco-operative, the most violent criminals—the heavies, the bash artists, the rapists. To mix these people up with low risk prisoners is wrong both in concept and practice and inhibits the provision of proper corrective programs to the more receptive prisoners. Its the bad apple in the case approach. By this I mean it is wrong to put a bad apple into a case of good apples in the hope that the rot disappears. The reverse happens. The lot go bad.

"Heavies" seek to influence the behaviour and attitude of other prisoners and evidence of their ability to disrupt a prison is well documented in riots and roof top demonstrations in Boggo Road gaol. They organise a gaol and in a *de facto* way run it. Many of them are intractable and for that reason the SPH prison when it becomes available should be utilised for those most disruptive and most difficult prisoners.

By retaining Borallon as a Medium/Low security Centre without the disruptive influence and presence of dominating power seeking criminals it can be operated to more efficiently provide

genuine corrective services and programs with a lower level of security and staffing, without internal escorts and with a more relaxed and pleasant work environment for staff, improved and longer visiting arrangements for families and friends, improved sporting facilities and the development of prison teams, better productive work opportunities and training. It will need no cages and no harsh oppressive discipline provided no high risk prisoners are allowed there. It will also provide more security for local residents living nearby as they can be assured that no high risk violent prisoners are housed there.

I therefore recommend that the new Centre at Wacol continue to be built to house both high and medium security prisoners but that Borallon be dedicated exclusively to medium and low security prisoners. If this recommendation is accepted no modifications will be necessary to existing plans for either Centre, provided classification procedures are reviewed.

I further recommend that as soon as the Security Patients Hospital (S.P.H.) becomes available it be adapted to house only high security prisoners who are violent and disruptive and who have shown by their past behaviour that they are unwilling to involve themselves in rehabilitative or correctional programs. This should assist in reducing the ever growing numbers of prisoners receiving protection. The S.P.H. should be renamed and staffed by Security Officers only.

In the debate on privatisation, the options are reduced by the decisions already made to build three new prisons to be owned and operated by the Government. One of these, the new Centre at Wacol, is about to be staffed. However, there is still time to reconsider how Borallon is to be operated. If the classification changes outlined above are achieved, I believe immediate discussions should start with suitable companies in the private sector seeking expressions of interest in providing the entire operation of corrective services at Borallon. Such a decision to privatise Borallon depends on my earlier recommendation to make it a medium to low security prison only. I would not agree at this time for a high security prison to be privatised.

There would be considerable advantages to the State from this:

- The problems of finding adequate good staff from within the system would be solved;
- There would be added flexibility;
- The market for corrective institutions in Australia and Queensland would be created;
- There would be an important element of competition for Correctional Officers which could ultimately lift their status, pay and conditions;
- Career prospects for Correctional Officers and Managers would be opened up;
- For the first time there would be competition providing a real measure against which to test the performance and costs of the Queensland Corrective Services.

The opportunity to do this may not arise again. If Borallon is opened and staffed by the Q.C.S.C. considerable resistance may arise in any attempt to subsequently privatise it. It is too good an opportunity to miss.

I would expect the best approach *for the moment* would be for Queensland to continue to own the property, and to lease it out. But this need not be set in concrete. It could ultimately be sold to an investment institution such as Suncorp and leased to the operating Company with the fees paid only on a per prisoner basis subject to satisfactory performance. If after say an initial three years the Q.C.S.C. is not happy with private sector operation it can take the prison back and staff it and run it itself.

I have carefully built into the legislation the capacity to go down this track. The private sector has indicated its interest.

The rights and needs of prisoners can be protected, and the people of Queensland may obtain a more cost efficient system.

16.2 Private Sector Alternatives to Prisons

I have had several submissions from community groups who see a need for community based correctional facilities, half-way houses, hostels etc. Three of my Committee members are actively involved in this already. Sister Bernice runs a hostel for Women on Release to Work, the Reverend Allan Male is working with younger prisoners from Woodford, and Brother Paul Smith is working with juveniles at Boys Town. All have experience in corrective type services, and all see an opportunity and a need for a greater expansion of activity in this area. Reverend Allan Male has proposed a pre-release facility. I quote from his submission:

"Further to my letter 4th April 1988, especially point 3, I would like to add some further thoughts.

I wrote then:

'More needs to be done for younger fellows coming out of prison to find appropriate lodgings and worthwhile employment.'

What I would propose is that a pre-release programme be set up to have the young men go to a place 3 months prior to release.

They would need to be under 'house arrest', leave the property without permission is back to jail for 6 months plus time for any crime they commit.

During the day, productive activity. In the evenings a series of activities—films, lectures, public speaking, goal-settings and objectives etc. etc..

There's a lot of organisations such as Toastmasters, S.W.A.P.—Salesman With A Purpose, S.M.I.—Success Motivation Institute etc. who will be only too willing to be involved in helping these fellows adjust to society.

Quite obviously, the Shaftesbury Campus is in an ideal situation to run a pilot course for 12 months. We have lots of productive activity that is seen to be meaningful, from landscaping to building construction and the facilities of the school classrooms and workshops would be ideal for them to be part of."

(Submission from Reverend Allan Male)

Really, this is no different from the market provision of a service except the motive is not profit. I am totally committed to the recommendation that the Q.C.S.C. become involved. The draft legislation not only permits this to happen, it positively facilitates it. We must provide corrective services.

My suggestion would be that programs be approved in a pilot stage and be accredited and funded on a per prisoner per day basis. I will cover this area in more detail later in the Report.

16.3 Auditing Private Sector Corrections

I have already emphasised the importance of the Operational and Management Audit Bureau to the operations of the Q.C.S.C. The Bureau will have the capacity and expertise to organise widespread operational and efficiency audit services by specialists from the private sector. I would like the energies and expertise of private sector companies themselves to be harnessed to the task of monitoring the performance of not only the Commission itself, but those companies who provide services to the Commission.

16.4 The Marketing of Q.C.S.C. Services

The other side of the coin to using private enterprise in the provision of corrective services is to involve the Q.C.S.C. in the private sector. One such important area is in the provision of useful work for all prisoners. It is sensible to offset costs by providing them with productive work.

I will cover this subject later in this Report. There is room for dramatic improvement in the way work is made available to prisoners. Prison industries must be seriously developed.

The second area for marketing of services is in the managerial capacity of the organisation. I already envisage that private sector companies wishing to become involved with the Q.C.S.C. in the provision of corrective service will need to purchase accreditation. This could be and should be expanded to the marketing of training courses in the Pacific Basin, consultancy services on the operation and establishment of prisons, audit expertise etc.

I have included in the organisational structure the creation of a position of Manager, Sales and Market Development. This person has a great deal of work ahead of him or her.

RECOMMENDATIONS ARISING FROM THIS SECTION

It is recommended that:

- 25 • Borallon Correctional Centre operate as a low to medium security facility; and
- Centenary Correctional Centre operate as a medium to high security facility.
- 26 • When the Corrective Services Bill becomes law, tenders be called for the total operation of Borallon Prison on a fee per prisoner basis as a medium/low security prison to be operated along the lines of Mobilong Prison in South Australia.
- 27 • The Q.C.S.C. actively involve the private sector and non-profit organisations in the provision of community based Correctional Centres.
- 28 • A position of Manager, Sales and Market Development be created.