



COMMISSION OF REVIEW INTO  
CORRECTIVE SERVICES  
IN QUEENSLAND

FINAL REPORT

AUGUST, 1988

August 31, 1988

The Honourable T. R. COOPER, M.L.A.  
Minister for Corrective Services  
and Administrative Services

Dear Minister

It seems much longer than six months since you asked me to undertake a Commission of Review into Corrective Services in this State. It has been a consuming and difficult task. Nevertheless I believe that you and I, with the support of the Premier, the Honourable Mike Ahern and his Cabinet, have achieved a great deal in a very short time.

On May 31, 1988 I submitted, as requested by my Terms of Reference, an Interim Report. I was delighted with the speed with which the Government considered and accepted the recommendations contained in that report. I now submit my Final Report.

In the intervening period a number of matters arose which I felt needed immediate attention by Government. The most important of these was the need to agree to do away with Boggo Road once and for all. Again, I was impressed with the speed with which the Government chose to act on that recommendation which was formulated after discussion with you.

If the recommendations contained in this Report receive similar consideration and action, I believe corrective services in this State will rapidly achieve a higher standard than has ever been the case. The Government will be able to take pride in its achievements in this difficult area of public administration. Implementation of my report's recommendations will, I believe, break the cycle of despair, destruction and frustration which has, for years, characterised our prisons.

My Interim Report recommended the establishment of a Corrective Services Commission and the provision of adequate resources. A further special report, included here recommends the closure of H.M. Prison Brisbane. This final report addresses the terms of reference in detail and draws heavily on submissions received. A complete list of submissions is attached. All submissions have been carefully examined. They form the basis for future planning and policy changes. This report is, in reality, the composite view of a broad collection of individuals, organisations and departments.

As outlined in my Interim Report and in written progress reports to you, it was agreed that the Secretariat of the Commission of Review should undertake a number of additional tasks essential to the implementation of a modern corrective services organisation. These tasks were:

- Preparation of a manual of policy and procedures;
- Drafting of the legislation to establish the new Queensland Corrective Services Commission;
- Finalising the preparation of a new Corrective Services Bill to replace the existing Prisons Act and Probation and Parole Act; and
- Monitoring industrial relations issues associated with the establishment of the Q.C.S.C.

The additional workload resulting from the above has been considerable.

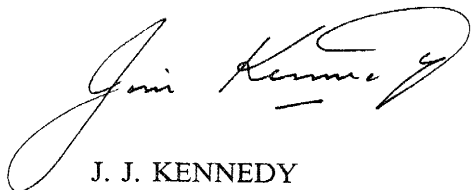
My Secretariat staff have worked effectively in these areas and I submit both the draft legislation and a Manual of Policy and Procedures to you along with this Report.

Establishing the Q.C.S.C. will be a major task. I have given consideration how to achieve this on or before the due date, in the Report. I have already recommended to you that you establish an implementation committee to keep the momentum of the review process going. You have accepted that recommendation.

My Interim Report made reference to the dedicated and hard working assistance by all those on my Secretariat staff. My comments at that time still stand. I would only add that they have all worked even harder in the second part of this Review than they did with the Interim Report. Their workload has been excessive. The contribution by Mr Graham Dalton who was Secretary to the Review was outstanding and deserves special mention and recognition.

I look forward to being available to assist you in the months ahead in the lead up to the establishment of the Queensland Corrective Services Commission.

Yours faithfully



J. J. KENNEDY

## SUMMARY OF FINDINGS

My Terms of Reference are very extensive. They cover a large number of inter-related issues any one of which could fill a complete report by itself. It is obvious that it is not possible in this Report to cover every point of every argument and every aspect of every issue. However, not one recommendation for change has been made lightly or has been based on superficial argument. The whole is tied together to form a comprehensive package for reform of Queensland's archaic Prison, Probation and Parole Services. The Interim Report and Attachments plus this Report and Attachments need to be read together.

Any omission in this report or any defect can be attended to by the new Commission about to be formed. The momentum for and direction of change is now irreversible.

Some firm conclusions can now be made and I have made recommendations for change where needed.

Broadly speaking these are my main findings:

1. Comprehensive reform is long overdue.
2. Prisons & Parole and Probation and Community Corrections are closely related and should all be administered together by the one organisation.
3. A Corrective Services Commission—an autonomous statutory body—with its own board and subject to Ministerial direction is the best approach to administer Corrective Services for the next five years.
4. For many years the whole of Corrective Services in Queensland has been substantially underfunded.
5. Boggo Road Prison is a relic of the last century and is hopelessly inadequate to provide corrective services today.
6. Stuart Creek Prison in Townsville requires urgent upgrading.
7. The three new prisons under construction appear to be well planned and desperately needed.
8. The concept of the Crown providing all corrective services in Queensland is neither cost effective nor sound.
9. The new Borallon Prison provides a unique opportunity to call tenders for its operation by private enterprise offering a realistic alternative to Government operation.
10. That a Pre-Trial/Remand Centre should be built.
11. A specialised, secure, purpose built, hospital to be operated by the Health Department should be built at Wacol to service the needs of prisoners in South East Queensland.
12. A new Women's Prison should be built at Wacol and consideration should be given to calling tenders for its construction and operation by private enterprise.
13. The Justice Committee established by this Review and chaired by Mr Kevin Martin should continue to examine "Justice" issues that require change and should prepare a new Sentences and Penalties Bill for presentation to Parliament next year.
14. Prisons should be called Correctional Centres and operated by General Managers and the term Superintendent be discarded.
15. Prison Officers and Probation and Parole Officers should be called Correctional Officers.
16. Correctional Officers working in prisons should be divided by their duties into Security Officers and Supervisory Officers.
17. That the Parole Board be renamed the Queensland Community Corrections Board.
18. That Regional Community Corrections Boards be established in Brisbane, Townsville and Rockhampton, each with a full time secretariat to deal with applications for parole from prisoners serving between 6 months and 5 years.
19. That the Queensland Community Corrections Board deal with applications for parole from prisoners serving more than 5 years and with appeals against more than three parole refusals by Regional Boards.
20. That Community Correction Boards be responsible for approving all transfers of prisoners from Prison to Community Corrections including not only for parole but also for Home Detention and Release to Work but not Leave of Absence.
21. Remission is a flawed concept and should be re-examined.
22. Greater use should be made of Community Corrections for non-violent offenders and certainly for most fine defaulters and young offenders; and the Home Detention and Release to Work programmes should be expanded.

23. That tenders be called for the monitoring of prisoners serving home detention.
24. A prisoner should be informed in writing of the reasons for refusal of parole.
25. That the system for granting parole for life sentenced prisoners be reviewed.
26. Official Visitors should be established in all prisons.
27. Community Corrections Centres could be established throughout Queensland and could be owned and operated under licence by Church or Welfare groups.
28. Community Corrections Units (Parole Units) should be established in each Prison and the Parole Advisory Committees disbanded.
29. Earned Remission should reduce the community supervision component of sentences.
30. Government should give consideration to appointing Aboriginal and Islanders to Community Corrections Boards.
31. Legislation defining the age of children should be amended to ensure offenders under the age of 18 years cannot be admitted to an adult prison as in all other states except Tasmania.  
Children under the age of 18 should remain in the custody of the Children's Services Department and not be sent to adult prisons.
32. A Young Offenders Advisory Committee should be set up to advise the Q.C.S.C. on how to better handle young offenders in prison and while serving Community Corrections. The present approach is failing.
33. Until legislation is amended, young offenders should be segregated by improving classification and assessment procedures and all persons in Queensland prisons under the age of 18 years should be placed in separate confinement from adult offenders.
34. Health services in prisons are unsatisfactory and inadequate and the many complaints by prisoners about health care seem in the main to be justified. A full time Director of Health Services should be appointed.
35. Prisoners have complained strongly about telephones and mail and I have made recommendations for some changes.
36. Visiting hours are generally unsatisfactory and should be expanded and encouraged. A minimum of 1 hour per week and preferably more should be allowed.
37. The Welfare Officer concept is not working properly.
38. Despite recent improvements there are still problems with Chaplaincy Services in the prisons.
39. Time spent on Remand should be specifically taken into account in the calculation of sentences.
40. A special care unit similar to the one in N.S.W. should be established but if after two attempts difficult violent and disruptive prisoners still prove intractable they should be isolated from the mainstream of prisoners.
41. With the exception of submissions from prisoners which should be destroyed all other submissions should be given to the Q.C.S.C.
42. An Aboriginal and Islander Liaison Officer should be appointed full time to the staff of the Q.C.S.C.
43. All transfers of prisoners should be under the control of the Assessment Committee, managed from head office, and not Superintendents.
44. Programs provided in prisons are poorly planned and a Program Manager for each prison is required for these most essential corrective services.
45. Prison Industries should be developed to provide work for all prisoners.
46. Educational Programs must be available in all prisons.
47. Library facilities should be established.
48. Minimum Guidelines for Corrections in Australia and New Zealand should be adopted and practised.
49. The Classification System needs further review particularly for Maximum Security prisoners.
50. Operational and management audits are essential.
51. Policy and Procedures for practical application by Correctional Officers should be contained in a printed Manual and continually updated.
52. The Prisons Act is outdated and urgently needs new legislation.
53. Security in Queensland prisons is lax and needs upgrading.

54. Management functions should where possible be devolved to Prison Managers from head office.
  55. Generally, management is lacking throughout the service.
  56. Lack of computerisation condemns the organisation to the horse and buggy days.
  57. Corruption exists in the Prison Service and must be urgently addressed.
  58. A new Corrective Services Award is needed.
  59. Ongoing training is essential yet is almost non-existent.
  60. Inadequate screening takes place in the recruitment of officers.
  61. There is a need to protect the rights and entitlements of all public service staff to be transferred to the new Commission (the Q.C.S.C.).
  62. In future all senior staff should be employed on contract.
  63. That except for existing staff at the date of vesting of the Q.C.S.C. all future staff be employed on the basis of performance without security of tenure.
  64. I am pleased to say that both the Q.S.S.U. and the P.O.A. have played a responsible and constructive role in ensuring the best interests of their members have been considered during the course of this review and I thank those officers for their courtesy and assistance. It is essential that the Q.C.S.C. continue to consult with both unions.
  65. There is no doubt at all that the occupation of correctional staff carries with it stress and trauma which impacts on families. They are nevertheless an essential service.
- The above list is not intended to be exhaustive. A full reading of the Reports is required.

## THE RECOMMENDATIONS

The establishment of a Commission as provided in this and the Interim Report will produce positive results. I have adopted the view that the Q.C.S.C. should be left to manage the corrective services and I have attempted to avoid providing too detailed an agenda for the Q.C.S.C. Recommendations are made only where necessary.

The Recommendations of this Report fall into five parts:

- Those requiring changes to the Prisons Act, Probation and Parole Act or related Acts;
  - these have been incorporated in the draft legislation but will require specific parliamentary approval;
- Recommendations for the Minister to consider;
- Matters requiring endorsement by Cabinet and the Government for a specific course of action; and
- Those needing to be implemented by the Q.C.S.C.
  - the Commission will have the authority in the enabling legislation but the implementation is a matter for management;
- Those matters referred to the Justice Committee for further consideration.

A full list of the recommendations contained in this Report follows.

It is recommended that:

- 1 • This Report be published as soon as possible; and
  - A brief summary be prepared for distribution by the Implementation Committee for release as soon as the Minister approves.
- 2 • The Government accept as a guide to the decision making of the Q.C.S.C. the following statement of goals:
 

"BEFORE MAKING ANY DECISION OR TAKING ANY ACTION THAT DECISION OR ACTION SHOULD BE ASSESSED IN THE LIGHT OF:

  - A. IS IT IN THE PUBLIC INTEREST?
  - B. IS IT FAIR AND REASONABLE AND JUST TO ALL PARTIES AND IS IT CONSISTENT?
  - C. WILL IT STAND UP TO PUBLIC SCRUTINY?"
- 3 • An Implementation Committee be established with the following members:
  - Mr Jim Kennedy (Chairman);
  - Mr Peter Jones (Under Secretary);
  - Mr Alex Lobban (Comptroller-General of Prisons);
  - Mr Jay Perkins (Chief Probation and Parole Officer).
- 4 • Suitably qualified people be nominated by The Minister for Corrective Services and Administrative Services for appointment to the Board of the proposed Q.C.S.C. in accordance with major recommendation (1) in my Interim Report; and
  - The Queensland Corrective Services Commission commence operation as soon as the enabling legislation permits, (hopefully 1/12/88).
- 5 • With the exception of submissions from prisoners, all other submissions received by the Commission of Review become the property of the Q.C.S.C. to be used as an important resource for formulating future policies, plans and procedures;
  - In the event that I consider a particular prisoner's submission is important, written approval be sought from that prisoner to pass it over to the Q.C.S.C.; and
  - All other submissions received from prisoners be destroyed under supervision and that no copies be kept.
- 6 • The Chairman of the Board of the Q.C.S.C. be a part-time appointment; and
  - As an alternative to the seven person board as recommended 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.
- 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 each 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.
- 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.
  - 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 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.
  - 13 • Prison Officers be formally divided into two career streams of Correctional Officer:
    - Security Services; and
    - Supervising Correctional Officers.
  - 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.
  - 17 • The Parliament annually appropriate 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.
  - 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.
- 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.
- 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.
- 29 • Responsibility for management and administration of the Release to Work Program and the Home Detention Scheme be transferred to the Community Corrections arm of the Q.C.S.C. to provide a co-ordinated approach to Community Corrections and to provide improved management control.
- 30 • The Parole Board be replaced by a Queensland Community Corrections Board, to be supported by a system of Regional Community Corrections Boards;
  - Community Corrections Boards to have responsibility for all transfers of a sentence from prison to community corrections including Parole, Home Detention and Release to Work.
- 31 • As prison is not the appropriate place for minor fine defaulters, if there is any possibility of an alternative this should be fully explored.
- 32 • The fine option scheme be amended to provide more flexibility in the exercise of the option for community work; and
  - The value of the penalty unit be increased in order to place a more appropriate value on the time offenders spend in community work.
- 33 • Home Detention become a sentencing option.
- 34 • Non-prison sentences be expanded to include Attendance Orders and Community Corrections Centres.
- 35 • The Community Corrections Service vigorously encourage the maximum possible use of the Court Advisory Service as part of a strategy to sell itself as a professional and effective arm of Corrective Services.
- 36 • The Home Detention Program be placed on a proper legal basis;
  - Adequate resources be provided to enable a rapid expansion of the scheme;
  - A program utilising electronic monitoring of offenders on Home Detention be piloted.
- 37 • The Q.C.S.C. seek expressions of interest from Community and Church Groups for the operation of Community Corrections Centres as Release to Work Hostels on a fee per offender basis; and
  - The legislation accommodate private sector and public interest group operation of Release to Work facilities.
- 38 • Parole Advisory Committees be abolished; and
  - Community Corrections Units be established in each prison to assist the prisoners prepare for community supervision and the parole application.



- 39 • A system of Regional Community Corrections Boards be established with responsibilities for:
  - decisions regarding the transfer of a sentence from prison to community corrections for sentences less than five years: with authority to select:
    - Home Detention,
    - Release to Work,
    - Parole,
    - Community Corrections Centres;
  - or some combination of these; and
  - to vary the conditions of Community Corrections for offenders in order to provide a guarded system of return of offenders to society;
- The Regional Community Corrections Boards to consist of:
  - Chairman being a Barrister or Solicitor;
  - A medical practitioner;
  - A person representing the community;
  - A Senior Custodial/Correctional Officer;
  - A Senior Community Correctional Officer; and
  - Where practical, an Aboriginal or Islander.
- 40 • The Queensland Community Corrections Board to have responsibilities for:
  - all decisions on transfer to community supervision for sentences in excess of five years except life sentences;
  - to act as an avenue of appeal from a Regional Community Corrections Board; and
  - to supervise and monitor Regional Community Corrections Boards with powers to issue guidelines and to report to the Minister as appropriate on any aspect of the performance of a Regional Board.
- 41 • Community Corrections Boards have legislated authority for the transfer of a sentence from custodial supervision to community supervision; and
  - Community Corrections Boards be able to select a community corrections program from a range of available services; and
  - In deciding whether applicants receive parole it should be an accepted principle that all prisoners should have a period of supervision in the community prior to release on the basis that:
    - corrections are best undertaken in the community setting; and
    - the public interest would be better served if rather than releasing a prisoner free on remission the latter part of a sentence was served under professional supervision by Community Correctional Officers.
- 42 • Prisoners be allowed to make applications in person before Regional Community Corrections Boards.
- 43 • The Community Corrections Boards give reasons in writing for refusal of parole applications, and that such reasons to be sufficiently detailed to enable a prisoner to correct his behaviour to enhance his chances of success in further applications.
- 44 • In the calculation of the period of supervision after transfer from prison, any remissions earned while in prison be taken into account; and
  - The Q.C.S.C. and the Board establish suitable administrative arrangements for this to occur.
- 45 • The Justice Committee consider:
  - whether eligibility for parole should be at 1/3 as in other States;
  - whether automatic community supervision at 2/3 of a sentence should be granted unless the Q.C.S.C. specifically opposes the transfer;
  - the abolition of remissions;
  - whether parole for indeterminate sentences should be the sole responsibility of the Queensland Community Corrections Board rather than the Governor in Council after consideration by the Parole Board;
  - whether indeterminate sentenced prisoners should have a set period after which they may be considered eligible to apply for parole; and
  - whether sentences of less than six months should be also considered for eligibility for parole.

- 46 • The Government appoint Aboriginals or Islanders to the Community Corrections Boards.
- 47 • Where, in the opinion of a Community Corrections Board, assistance is required in presentation of a case for transfer to community, then a lay advocate be allowed to assist the applicant.
- 48 • The Prisons Department immediately arrange the removal of any person under 18 years from Brisbane Prison into accommodation where they can be separated from adult offenders, that instructions be given regarding the need for separation and that the implementation of this instruction be closely monitored;
  - Legislation defining the age of children be amended to ensure offenders under the age of 18 years cannot be admitted to a prison; and
  - The Justice Committee consider the merit of transferring responsibility for juvenile corrections to the Q.C.S.C.
- 49 • A special effort be made to develop programs suitable for all groups of young offenders, including violent and non-violent offenders, the programs to include special pre-release programs and community detention centres;
  - Special training orientated programs such as:
    - welding;
    - car repairs;
    - basic reading and writing;
    - physical education; and
    - getting a job.
- 50 • The Q.C.S.C. seek expressions of interest and enter into immediate discussions regarding private sector and community operated detention facilities for young offenders,
  - a pilot programme should be undertaken using the Rev. Allan Male's approach; and
  - Staff from the Corrective Services inspect operations of facilities for youthful offenders in the Northern Territory, with specific reference to their suitability for urgent establishment in Queensland.
- 51 • A Young Offenders Advisory Committee be established to develop an immediate action plan for the removal of young offenders from adult prisons, the Committee to report to the Q.C.S.C. on programs, placement and policies, and progress for young offenders who are in prison.
- 52 • Assessment Teams, responsible for prisoner assessment and orientation, be established;
  - An Assessment Committee be established in head office with the responsibility for developing systems for prisoner security classifications and sentence planning; and
  - The position of Manager, Assessment and Transfer, should be included in the Commission structure to ensure adherence to policy and oversight of consistency in the placement and transfer of prisoners.
- 53 • The Justice Committee examine the merit of a change in the way remand time is taken into account in the calculation of sentences.
- 54 • Recruitment of general staff for the new corrections centres be delayed until early in January to reduce the length of training and some costs;
  - Appointments of the senior staff at Centenary Correctional Centre and Lotus Glen be made immediately to assist with planning operations;
  - The Q.C.S.C. satisfy itself that security checks on personnel are being properly conducted;
  - The position of Assistant Director, Human Resources Management be created and filled quickly by the Q.C.S.C.;
  - Psychological screening of all applicants for employment by the Q.C.S.C. be carried out to determine their suitability to make a career in corrections.
- 55 • Adequate finances be directed to the professional development and training of Q.C.S.C. staff as set out in the Recommendations of my Interim Report and accepted by Cabinet;
  - Management training be immediately targetted to the senior staff of the Q.C.S.C. with responsibility for Corrections Centres and Community Corrections Districts;
  - Specialist and highly specific training courses be provided in the skills required for all staff, but to include such aspects as:
    - search skills;
    - drug detection;
    - dealing with difficult prisoners;
  - Security staff receive intensive, specialist training and regular drills;

- The Q.C.S.C. liaise with tertiary institutions to develop courses appropriate to the training of staff in:
  - psychology;
  - criminology; and
  - management;
  - a major effort needs to be put into training and developing General Managers;
- All correctional staff of the Q.C.S.C. have a common and shared induction training program.
- 56 • The Staff College develop suitable accreditation courses for private sector, part-time and casual employees involved with corrective services.
- 57 • All public servants employed in the Queensland Prison Service and Queensland Probation and Parole Service transfer their employment to the Q.C.S.C.;
  - Staff retain the right to apply for transfer and promotion to specific public service positions with full retention of rights;
  - A union/Q.C.S.C. task force be established to assist the placement of staff who indicate they wish to return to the Public Service;
  - Senior staff of the Q.C.S.C. be employed on contracts to be negotiated with the Q.C.S.C.;
  - Other staff be employed on a suitable Award to be negotiated by the Unions and the Q.C.S.C.;
  - A system of accreditation for private sector Correctional Officers be developed to include State indemnity for such people properly involved in Q.C.S.C. duties.
- 58 • The Q.C.S.C. recognise that the duties of correctional staff are stressful and as part of the response it develop a service-wide system of employee counselling and post-trauma support.
- 59 • Specific offences be incorporated in the Corrective Services Bill to incorporate a summary offence of assaulting a Correctional Officer in the course of his duty with a penalty of up to two years imprisonment and a period of separate confinement, to be heard by a Magistrate.
- 60 • The expression "essential service" in section 3 (1) of the *Essential Services Act 1979* be amended to include "corrective services".
- 61 • Funds be provided to the Department of Health for the construction of a prison hospital at Wacol;
  - The hospital be operated by the Department of Health under the control of a hospital board;
  - The hospital be available by 1990 before closure of Brisbane Prison; and
  - The hospital provide outpatient services for Wacol prison.
- 62 • The Health Department take over the provision of psychiatric counselling; but
  - The Q.C.S.C. retain the overall responsibility for the provision of basic "general practice" health services; and
  - The Q.C.S.C. create a position of Manager, Medical and Health Services to develop and manage the interaction between the Commission and the Health Department.
- 63 • The position of Welfare Officers be abolished;
  - The present role and duties of Welfare Officers be taken up by Supervisory Correctional Officers; and
  - The position held by Welfare Officers be used to create a position of Correctional Counsellor.
- 64 • The Q.C.S.C. establish a position of chaplain in each major prison;
  - The position be on a non-renewable maximum five-year contract;
  - The position receive a salary equivalent to a professional programmes staff member;
  - Proper offices and resources be made available;
  - Policy and procedures manuals be designed to accommodate the establishment of this position; and
  - The chaplain be appointed as a Correctional Officer in the meaning of the Corrective Services Act and the Administration of Corrective Services Act.
- 65 • The Q.C.S.C. develop an advisory service for families regarding visits, welfare referral, prison conditions, sentence plans, transfers of prisoners and progress towards community corrections,
  - a special telephone service should be available in each Correctional Centre.
- 66 • Phone calls for prisoners in minimum and medium security institutions should be available for prisoners at their cost, but subject to monitoring,
  - the Q.C.S.C. should retain the right to monitor any prisoner's phone calls it feels necessary on security grounds;
  - Telephone calls from high security institutions should be restricted and subject to specific approval,
    - all calls would be monitored by an Officer;

- Telephone calls from Pre-Trial Centres and for remand prisoners should be unrestricted;
- Mail should be unrestricted regarding volume, but should be at the prisoner's expense;
- All mail except to specified destinations, such as the Ombudsman, should be subjected to search for contraband;
- Mail from certain prisoners should be able to be read by security staff,
  - subject to specific approval by a General Manager;
  - where approved by the Commission, some mail could be withheld;
- All incoming mail should be searched for contraband,
  - except for mail from certain official sources such as the Ombudsman.
- 67 • Visits be immediately extended wherever possible to a minimum of 1 hour per week.
- 68 • The Q.C.S.C. establish a task force to look at the design and operation of visiting areas in order to increase both security and the quality of visits. The team to consist of:
  - A Manager, Programs;
  - A Manager, Security Services;
  - An Architect; and
  - An Officer from the visiting area;
  - The task force should advise on the management of visits, the preparation of guidelines, design of visiting areas, and preparation of training modules for staff.
- 69 • The concept of conjugal visits in Queensland prisons be totally rejected.
- 70 • Leave of absence provisions be utilised as a means of maintaining family contact for prisoners who have demonstrated they merit increased trust; with weekend visits and leave of absence generally to replace parole on compassionate grounds.
- 71 • The Q.C.S.C. must take a positive role in maintaining a link between corrections, the community, the family and the offender;
  - information must be provided to families;
  - they must become part of the decisions regarding the placement of the offender into a community program such as Parole, Release to Work or Home Detention.
- 72 • The Q.C.S.C. set up Task Forces with,
  - the Department of Education to establish a properly set up and funded school within prison walls for prisoners seeking remedial education;
  - the TAFE Operations to develop a comprehensive range of work skills and vocational skills programs inside the prisons;
- 73 • Cabinet rescind earlier Decisions to restrict the Prisons Department's tendering for work contracts.
- 74 • The Q.C.S.C. contact the Queensland Recreation Council to develop a program of recreation activities to meet the needs of prisoners.
- 75 • The Queensland Corrective Services Commission develop a comprehensive database relating to the situation of Aboriginals in custody in Queensland;
  - The Commission immediately appoint an Aboriginal and Islander Policy and Liaison Officer; and
  - The Commission carry out a series of workshops and seminars, to *inter alia*
    - closely involve the Aboriginal community;
    - address the problems facing Aborigines in prisons; and
    - address the problems of Aboriginal communities in their interaction with Corrective Services in this State.
- 76 • The Q.C.S.C. allow correctional centres to develop areas or sections which can become centres for the Aboriginal and Islander culture and community with accommodation in these areas to be totally voluntary.
- 77 • The Q.C.S.C. develop drug and alcohol counselling services at each major Correctional Centre;
  - The Q.C.S.C. continue to work closely with the Intellectually Handicapped Citizen's Advisory Council to develop programs within the corrective services system for intellectually disabled and socially inadequate offenders.
- 78 • The Q.C.S.C. endorse minimum standard guidelines for prisoners.
- 79 • The present system of discipline by Visiting Justices be abolished;
  - Breaches of discipline be dealt with by officers within the system; but
  - The system of discipline be made open to review by Official Visitors;
  - Punishments consist only of loss of privileges; and that

- Regulation 367 be abolished:
  - and replaced by a system of segregation for administrative purposes only, and not for punishment,
  - all decisions for separate treatment be open to review by the Commission and the Official Visitors.
- 80 • Formal grievance procedures for prisoners be developed,
  - The procedures be carefully documented in the Manual of Policy and Procedures for Correctional Officers;
  - Guidelines be laid down in a hand book for prisoners to be available to all prisoners;
  - The Q.C.S.C. vigorously ensure that the guidelines for communications it sets out are adhered to; and
  - Correspondence between Board Members and prisoners be treated as privileged and not opened.

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## **VOLUME II**

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2. Major Recommendations of the Interim Report
3. List of Submissions received by the Commission of Review
4. Report by Mr D. Doessel
5. Report by Touche Ross Management
6. Report by Dr R. Andrew
7. Thiess Management Services Research Proposal
8. Wormald Security Submission
9. Parole Board Submission
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## CORRECTIVE SERVICES IN QUEENSLAND

### THE CHANGES NEEDED IN THE PUBLIC INTEREST AN OVERVIEW

The Terms of Reference of the Commission of Review into Corrective Services in Queensland asked "... what changes, if any should be made in the organisation, administration and operation of the Queensland prison system ..."

Generally prisons are places that most people have little to do with. Yet, they are an integral part of society. Like most people I had little idea what prisons were about. I had not seen one, I had not been in one, I knew no-one who worked in one. I needed quickly to obtain information about the system, how it worked, where it was failing, and what should be my response to the question "what changes are needed in the public interest. . .?"

In seeking information about the changes required to the system I advertised widely in newspapers and on radio and I wrote directly to hundreds of groups and individuals I felt might be interested in the future of corrective services in this State. Individual journalists and media organisations were kind enough to take an interest and this helped make many more people aware of the Review.

I was overwhelmed with submissions. Thousands of people in Queensland have provided detailed advice and recommendations. Over a third of the prisoners wrote to me. Judges, politicians, policemen, prisoners, prison officers, lawyers, probation and parole officers, other public servants, churchmen and women and ordinary citizens have taken the opportunity to make their views clear on what needs changing.

There was considerable consensus regarding the problems the system is facing. They can be grouped under five headings:

- Prison Officers,
  - the submissions argued prison officers receive hardly any training and little support and recognition of their role;
- The Parole system,
  - it is seen to be unfair and inefficient;
- Brisbane and Townsville Prisons,
  - parts of these were built last century and submissions pointed out their lack of basic facilities;
- Corrective Services,
  - little real attempt is made to do anything other than lock up prisoners;
  - there are only token corrective services;
  - many prisoners are released worse than when they went in;
  - the management of corrections can be greatly improved;
- Justice,
  - access to the law and justice for inmates is inadequate and difficult;
  - the prison system is often unfair and inequitable in its treatment of inmates; and
  - the Prisons Act is hopelessly outdated.

The Commission of Review examined each of these areas of complaint. Complaints were well founded. For far too long successive Governments in this State had neglected the problems.

The new prisons being built are an important sign that this is changing. However, "human" issues still need urgent attention. We need to develop and provide *corrective services* as well as better prisons. My earlier recommendations were designed to put in place a system with the capacity to bring about and manage the necessary changes. I also recommended the Government provide the necessary resources. The Government has accepted these recommendations. A Corrective Services Commission, modern prisons, enhanced community corrections, better management, trained correctional officers, adequately funded prisoner programs and a total commitment to professionalism, will all add up to a humane, fair and consistent approach to the provision of Corrective Services in Queensland.

During the course of the Review, allegations of illegal conduct by some prison officers were brought to my attention. Corruption is a cancer that eats the heart out of any system if it is not ruthlessly attacked, exposed and prosecuted. Later in this Report I have dealt with the matter of corruption.

If these recommendations and the recommendations of the Interim Report are followed, in a few years time, people looking back will see some very substantial changes in the way corrective services operate in this State. They should see a Queensland Corrective Services Commission (Q.C.S.C.) and:

- A corrective services system which is adequately resourced;
- "Corrective services" being attempted in a serious way;
- "Corrective services" will no longer be just an euphemism for prisons;
- Terms such as "warders", "turnkeys", "screws", and "prison officers" will be as outdated as "bonzer" and "cobbers";
- The whole service will be staffed by trained and professional correctional officers and security officers;
- Community corrections will be accepted as the preferred system of punishment for most non-violent crimes;
- The balance of resource allocation between the prison system and the community correctional arm of the service will change;
- The State should not need to build another prison from its own resources for many years;
- Competition will be introduced into the system;
- Efficiency and economy will be substantially enhanced by the use of private sector involvement, both in the provision of specific services and in the provision of a whole range of correctional facilities which overlap with, compete with, supplement and complement those provided by the Government through the Q.C.S.C.;
- The Government will have made a very major and significant reform in the area of sentencing in this State; and
- The Justice Committee on Penalties and Sentences established by this Review will, by the end of 1989, have completed its deliberations into better ways of dealing with offenders and legislation should then be before Parliament for further significant changes in this area.

This Review has now put in place both the direction and the agenda for change. The resources and organisational capacity to achieve change are being established. The involvement of the private sector in certain areas of the delivery of corrective services should ensure a substantial improvement in the level of efficiency with which those services are provided. A much needed emphasis on fairness and consistency in the treatment of offenders will help overcome frustration and injustice.

These are the changes that are "needed in the public interest". The process of Review has been dynamic. It has not finished yet. It may never be. In response to the Terms of Reference I have recommended a process which will ensure that the momentum for change that has been started continues.

The Government has provided an opportunity that may not come again. It has established a climate for change. The timing is right. The opportunity must be grasped.

My Terms of Reference asked what changes are needed "in the public interest". The "public interest" should continue to be the guide to the future actions of the Queensland Corrective Services Commission.

The Commission that implements this Report must have a firm philosophical approach and attitude in order to provide consistency and guidance to its decisions. I believe that a simple Goal Statement for it, including its Board, Management, and Staff should be the following:

"BEFORE MAKING ANY DECISION OR TAKING ANY ACTION THAT DECISION OR ACTION SHOULD BE ASSESSED IN THE LIGHT OF:

- A. IS IT IN THE PUBLIC INTEREST?
- B. IS IT FAIR AND REASONABLE AND JUST TO ALL PARTIES AND IS IT CONSISTENT?
- C. WILL IT STAND UP TO PUBLIC SCRUTINY?"

The above is designed to provide a conceptual and philosophical framework guiding all decisions of the Corrective Services Commission. It would also be useful if the Government adopted these guidelines for the operation of Corrective Services in this State. They should be approved by Parliament when it provides the legal framework within which the philosophy expressed above can operate.



This Report is extensive and detailed. It is of vital interest to the community at large and to the hundreds of people who made submissions including prisoners, staff, government departments and welfare organisations. I believe that the information, findings and recommendations contained herein *should be publicly and widely disseminated.*

---

### ***RECOMMENDATIONS ARISING FROM THIS SECTION***

It is recommended that:

- 1 • This Report be published as soon as possible; and
  - A brief summary be prepared for distribution by the Implementation Committee for release as soon as the Minister approves.
- 2 • The Government accept as a guide to the decision making of the Q.C.S.C. the following statement of goals:  
“BEFORE MAKING ANY DECISION OR TAKING ANY ACTION THAT DECISION OR ACTION SHOULD BE ASSESSED IN THE LIGHT OF:
  - A. IS IT IN THE PUBLIC INTEREST?
  - B. IS IT FAIR AND REASONABLE AND JUST TO ALL PARTIES AND IS IT CONSISTENT?
  - C. WILL IT STAND UP TO PUBLIC SCRUTINY?”

**PART A**  
**INTRODUCTION**

# 1. THE TASK OF THE COMMISSION OF REVIEW

## 1.1 Operation of the Commission

The Commission of Review Into Corrective Services in Queensland was established on February 29, 1988. The Terms of Reference of the Commission required that I examine and report "... in the public interest, what changes, if any, should be made in the administration and operation of the Queensland Prison System ..." (A copy of my Terms of Reference is Attachment 1). A Committee to Assist the Commission was established on that date.

As required by the Terms of Reference, I submitted my Interim Report on May, 31. I pointed out in that Report that a review involves identifying issues, drawing conclusions and then making recommendations. Since submitting my Interim Report I have continued with the process of review in that manner. I have drawn upon the assistance of members of my Committee, the Secretariat and a variety of specially constituted task forces in evaluating submissions, and especially in putting together a workable, practical consensus regarding the Review's recommendations.

When I was commissioned to carry out the Review, I was requested to bring to the Minister's notice any matters that might require urgent attention. I have in fact referred several such matters to the Minister. For instance, I saw an urgent need to develop a professional service to counsel staff under stress. I made a recommendation for immediate action. In this, and the other cases where I needed to report and make recommendations urgently, I was pleased to see action taken to implement them rapidly.

Also, at some key stages of the Review, it has been necessary to seek guidance regarding the acceptability of an idea I was considering before moving ahead with detailed developments. One such case was the future of Brisbane Prison. Again my broad recommendation has been accepted, and I have been able to continue the Review with a clear sense of direction.

In the body of this Report I have set out the areas where such issues have been resolved and how my recommendations were reached.

I have been involved with several inquiries and commissions. I think this one must be something of a record for the way in which the community has responded with submissions.

This strong community involvement has been an essential part of the widespread agreement on the future direction for corrective services that has been achieved in this Report. It provides a very firm foundation on which the Queensland Corrective Services Commission and the Government can build.

During the Review, members of the Committee, Secretariat and I have visited all the prisons in Queensland. We have attended meetings of groups wanting to discuss issues with us. We have had discussions with groups on Palm Island, with Parliamentary Committees and with lawyers, with the Parole Board and many others. We made a commitment that we would be prepared to talk to any one, anywhere, any time. I believe we have managed to honour that commitment.

We have drawn upon the experiences of those who have worked in other States and visited other countries. We have read widely about corrective systems elsewhere and considered their successes and failures. The Honourable Paul Clauson, the Minister for Justice and Attorney-General, and Mr Kevin Martin, Deputy Under Secretary of the Justice Department have just attended a major conference in Canada to consider aspects of parole changes. Mr Martin is working as the leader of a task force assisting the Commission of Review.

## 1.2 Interim Report And The Final Report

By the time I completed my visits to the prisons, I had read all the submissions and had read most of the previous reports of reviews of various kinds over the years. Obviously the system faced serious and entrenched problems. In fact, I was staggered to find so much previous work and so many reviews of the system, all identifying the same problems I saw. Yet the problems have persisted.

I felt that the Interim Report needed to advise on the changes required to get the system out of the rut of review and report, once and for all. The Interim Report, therefore attended to pressing and major problems in the system. It did not make detailed recommendations about day to day issues.

My Interim Report is not included in this Final Report. Hence, both Reports need to be read in conjunction. Nevertheless, if in this Final Report I am to provide comprehensive details on the processes of the Review and more particularly a complete response to the Terms of Reference then it will be necessary to summarise earlier findings and to quote from some sections of that earlier report. In brief, the Interim Report said there were serious problems in the system. These included:

- Poor morale amongst prison officers;
- A fragmented correctional service;
- A poor public image;
- Corruption in parts of the organisation;
- Excessive crowding and out-dated sections of the two main prisons;
- Inequity and inefficiency in the parole system;
- Inadequate research capacity; and
- A system of management that lacks the capacity and resources to obtain a consensus regarding the future direction of Corrective Services and no effective means of implementing agreed goals.

The Major Recommendations of the Interim Report are shown in the Attachments to this Report. In summary, I recommended that:

- A Queensland Corrective Services Commission be established to take over the functions of the Queensland Prison Service and the Queensland Probation and Parole Service from 1/1/1989;
- The Government provide an additional \$9 million in extra funding to Corrective Services;
- The Government agree to establish a Police Prison Liaison Office (P.L.O.);
- 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.

Each of these recommendations was accepted. I know that any Government is always under pressure for funds and that corrective services are rarely a priority area for extra resources. Yet the Government acted with commendable speed in considering and accepting my Interim Report.

I know that the rewards to the Government and the people of Queensland will be significant and that a festering area of public administration will be taken off the front pages of the daily press. The price the Queensland Government has agreed to pay for an acceptable system is really a bargain. I note recent newspaper reports that suggest the Premier of New South Wales has committed \$1 billion to law and order and the refurbishment of the corrective services in that State.

Given the acceptance by Government of the Major Recommendations to provide:

- adequate resources to corrective services,
- a new organisational structure more capable of managing the operations; and
- to close H.M. Prison Brisbane,

my Final Report concentrates mainly on administrative matters and future directions. The Q.C.S.C. will have the flexibility and the capacity to administer the organisation properly. In this Final Report I have provided recommendations only in those cases where there is a clear course of action. Generally I have tried to set the agenda and leave the determination of priorities to the men and women who will form the board of the Q.C.S.C., and who will be charged with the responsibility for the performance of the organisation.

I must point out that my Terms of Reference go beyond just the "Prison System" or "Custodial Corrections". I was required to look at the system as a whole including "alternative sentencing" and "parole", and I did so.

### 1.3 Other Tasks of the Commission of Review

The Commission of Review has been involved in a number of other tasks including the setting up of the Q.C.S.C. and the implementation of other recommendations from the Interim Report. These are discussed below.

#### 1.3.1 *Manual of Policy and Procedures*

In my Interim Report I noted problems arising from poorly defined roles and the need to improve management communication. Further I reported the inconsistency with which rules, regulations, practices, and processes in each prison are applied. I noted that I had a great many submissions drawing attention to these problems. The Queensland State Service Union recommended "... that each officer be provided with a Manual of Administrative Instructions pertaining to the performance of his duties and that on each occasion a new memorandum is issued a copy be given to each individual Officer."

I totally endorse this recommendation. I wrote to the Minister even before completion of the Interim Report. I recommended that as a matter of great urgency work should commence on producing a Manual of Policy and Procedures for the Prison Service. I further suggested the Secretariat itself would be prepared to carry out the preparation of the manual. I felt that the Review would produce changes that could best be documented by the Secretariat.

My resolve for the urgent provision of such a Manual was strongly reinforced by a consultancy report commissioned by me from Wormald Security. I asked them to examine plans for recruiting and training officers for the new prisons. Their Report on the recruitment of staff for the new prisons had the following comments which supported my views:

"Our major concern in relation to the selection process, however, is that it has not been based on the actual position descriptions and person specifications for the Unit Officers and other Prison Officer roles. We understand that these documents are not yet completed. The Role Specification we received for a Prison Officer is not oriented towards the new Unit Management Concept. Hindering the completion of these documents is the decision regarding the inherent role conflict between Security Officer vs. Corrective Services Officer and the non-completion of the new policies and procedures manual.

It is very difficult, working within these uncertain parameters, to establish a definitive selection package."

Their Report to me recommended:

"... the production of a comprehensive policy and procedures manual for the prison service be completed no later than 1st December, 1988 to enable the completion of accurate job descriptions and appropriate training courses for the opening of Wacol II."

The Minister accepted my recommendations that the Secretariat of the Review prepare a manual. I was delighted that Mr Geoff Hardy from the Committee Assisting the Commission of Review was able to join the Secretariat on a full time basis to assist in this task. I must also note the great assistance of Mr Barry Stephenson, Manager, Management Services Branch, Prisons Department who co-ordinated this task with Mr Hardy. I know from their reports to me that a great many staff at all levels in the Prison system became involved in the task. Together they have managed in a remarkably short space of time to put together the basic framework for a manual which will go a long way towards solving the problems. That this has occurred is indicative of the commitment of many staff to the changes that are already starting to occur as a result of the Commission of Review. There are too many people for me to list them all personally, but through this report I would like to express my sincere appreciation.

The Manual of Policy and Procedures for the Queensland Corrective Services Commission is submitted to the Minister together with this Report. I expect that the Department and the Q.C.S.C. will continue to refine this document. It must be constantly updated. Early in the New Year the Queensland Corrective Services Commission will be in a position to issue it to staff and it will be a tangible indication that corrections in this State are really changing. Also, it will become a central part of the training of recruits to the new prison at Wacol early in 1989.

### 1.3.2 *Legislative Change*

Exactly a century ago in 1888, the first Queensland Prisons Act was being drafted. It implemented the recommendations of the Gaols Commission appointed by the Legislative Assembly in 1887.

There have been very few significant changes to the Legislation since.

In the Interim Report I noted the submissions critical of the state of the Prisons Act. I agreed with the Queensland State Service Union that the Act was outdated, no longer met the needs of the service, and needed remedying.

The Minister has agreed to my suggestion that the Secretariat take over the work of drafting the Act.

I now provide to you as a further accompaniment to this Report, a draft of two pieces of legislation that could be enacted to implement the changes I am proposing.

The Draft Bills are in the following forms:

#### *Corrective Services (Administration) Bill*

This Draft Bill establishes the Queensland Corrective Services Commission and defines its powers and responsibilities for the provision of corrective services.

#### *Corrective Services Bill*

This Bill is intended to draw together the present *Prisons Act* and *Offenders Probation and Parole Act* into a single piece of legislation which will provide a vehicle to implement many of the changes of this Report. It also incorporates some of the changes under consideration when the Commission of Review was established.

A third Bill, namely, a Corrective Services (Consequential Amendments) Bill, will contain amendments to a number of other Acts as a direct consequence of changes in the two draft Bills. This Bill will be ready soon after this Report is furnished.

While the two Bills will dramatically modernise legislation governing the *operations* of corrective services, further legislative changes in the area of corrections is warranted. A fourth piece of legislation is proposed, to be titled the *Penalties and Sentences Bill*. A Justice Committee on Penalties and Sentences established to work on this, is headed up by Mr Kevin Martin, the Deputy Under Secretary of the Justice Department.

I would urge the Government to proceed with the utmost speed to place the attached legislation before the Parliament. Given that the legislation is based upon the findings of a Commission of Review that has widely canvassed the issues, the normal Green Paper process should be dispensed with.

#### 1.4 Assistance and Support Provided to the Commission of Review

The Review has been a success because of the overwhelming support and assistance it has received. I have not the space in this Report to record the names of everyone who assisted me, but some special thanks are needed for those who worked continuously and closely with the Review.

The Committee appointed to assist the Commission of Review was hard working and dedicated. I must record my deep regret at the death of Sir David Longland who was a member of the Committee. Despite his ill-health Sir David brought to the Committee wisdom and understanding of public administration and the prisons system. I had several discussions with Sir David. He sought and made a particular impact on the Review despite his inability to attend meetings. I made a point of calling on him in hospital to discuss the prison system and progress with the Review.

A list of the people appointed to the Committee Assisting the Commission of Review is set out below:

#### COMMITTEE MEMBERS

- Sir David Longland, C.M.G.
  - a former Chairman of the Queensland Public Service Board and Parliamentary Commissioner for Administrative Investigations
- Mr Nelson Glindemann
  - Superintendent of Townsville Prison (now Deputy Comptroller-General of Prisons)
- Mr Geoff Hardy
  - Deputy Superintendent of Brisbane Prison
- Mr Dave Hayden
  - Senior Chief Prison Officer at Wacol Prison (now Chief Prison Officer) at Wacol Prison and Executive Member, Queensland State Service Union
- Mr Don Davidson
  - President, Aboriginal and Torres Strait Islanders Legal Service
- Brother Paul Smith
  - Director, Boys Town
- Sister Bernice Heffernan
  - Holy Spirit Sister and Prison worker
- Mr Col Bevan
  - Former Assistant Director, Australian Institute of Criminology.

During the Review Mr Nelson Glindemann received a promotion to the position of Deputy Comptroller-General of Prisons. His position on the Committee was taken by Mr Kel Olsen, a Deputy Superintendent at Brisbane Prison. The Minister appointed the Reverend Allan Male, M.B.E. to take Sir David's position on the Committee.

Several members of the Committee joined the Secretariat to carry out particular tasks. Mr Geoff Hardy, Mr Dave Hayden as well as Mr Kel Olsen have worked on the production of the Policy and Procedures Manual. Mr Don Davidson has put a major effort into contacting the Aboriginal and Islander community to seek input. I would like to make particular mention of the contribution by Sister Bernice Heffernan. Sister Bernice has worked tirelessly on behalf of the prisoners of this State, to provide support, to lobby for better conditions, to provide shelter and care on release and to advise and help the Commission in its deliberations. I doubt whether anyone fully appreciates and

understands the extraordinary effort she puts in on behalf of people who find themselves in the State's prison system.

The Committee has met formally on 14 occasions. These structured meetings took much of the day and continued through lunch. We talked, argued and debated the issues. In addition, I met often with individual members of the Committee to seek their views on particular issues. The Committee has had the opportunity to visit prisons, talk to prisoners and read submissions.

In the Secretariat provided to me I was fortunate to have a small group of dedicated, hard working and practical people. They have done their jobs professionally. They deserve recognition for their efforts and I list their names below. They all have my thanks for a task well done.

### SECRETARIAT

- Mr Graham Dalton  
(Assistant Under Secretary, Department of Corrective Services and Administrative Services)
- Mr Peter Hall  
(Press Consultant).
- Margaret Cribb  
(Executive Consultant)
- Mr Bob Bleakley  
(Deputy Chief Probation and Parole Officer)
- Mr Dave Hayden  
(Committee Assisting the Commission of Review)
- Mr Geoff Hardy  
(Committee Assisting the Commission of Review)
- Sister Bernice Heffernan  
(Committee Assisting the Commission of Review)
- Mr Peter Roylance  
(Policy and Advisory Unit, Prisons Department)
- Mr Nelson Glindemann  
(Committee Assisting the Commission of Review)
- Mr Kel Olsen  
(Commission Assisting the Commission of Review)
- Mr Trevor Carlyon  
(Director Classification and Transfer, Prisons Department)
- Mrs Sue Campion  
(my Personal Secretary)
- Mrs Gail Scott  
(Secretary)
- Mrs Chris Page  
(Secretary)

The Terms of Reference of the Commission of Review required that I consider a number of matters associated with the existing legislation. Furthermore, the Secretariat of the Commission has been preparing legislation to implement recommendations of my Interim Report. Mr Peter Roylance from the Prisons Department was seconded to the Secretariat to carry out this work. In the period he has worked with the Secretariat, Mr Roylance proved he is an officer with great ability and dedication.

I must thank Mr John Hincks, the Under Secretary of the Justice Department and in particular Mr Kevin Martin, the Deputy Under Secretary, and Mr Conrad Lohe, Assistant Crown Solicitor (Appeals and Advocacy) for their assistance to the Commission of Review in its examination of the legislation.

I have also been assisted by a number of lawyers and others interested in civil rights issues, who have gone out of their way to make major submissions to the Commission of Review. Some have helped to review proposals and to provide comment on matters referred to them. I cannot

speak too highly of the efforts made by this group of people. They did this as a matter of public interest. There was no fee involved. They have worked closely with my Secretariat. They are:

### **LEGAL ISSUES WORKING PARTY**

- Conrad Lohe (Crown Law Office)
- Mark Finnane (Prisoners' Legal Service Inc.)
- Tony Woodyatt (Prisoners' Legal Service Inc.)
- Stephen Keim (Queensland Council for Civil Liberties)
- Richard Carew (Queensland Council for Civil Liberties)
- Paul Richards (Paul Richards and Associates, Solicitors)
- John Hodgins (Legal Aid Office [Queensland])

Finally, in this lengthy but necessary list of commendations of those involved with this massive task I would like to thank the Parliamentary Counsel, Mr Leo Murray Q.C. and, in particular, his officers who worked with the Department of Corrective Services and Administrative Services and the Commission of Review in completing the project. They worked nights and weekends to ensure the Bills were completed in time. Their efforts deserve recognition.

Implementation of recommendations of my Report will have significant ramifications for employees of the present Department. I have had a policy during the Review of being open with the unions and seeking their comment on the changes that will affect their members. Our discussions have been fruitful and cordial.

I felt it important that I be provided with professional advice regarding the industrial relations implications of my recommendations. With the support of the Honourable Russell Cooper and his colleague the Honourable Vince Lester, Minister for Employment, Training and Industrial Affairs, a specialist task force has been set up to assist the Commission of Review in its discussions with the unions and to help consider the issues that have been raised. I could not have asked for a more able group of people to be part of my team. They are:

### **INDUSTRIAL RELATIONS TASK FORCE**

- Mr Chris Hooper (Assistant Under Secretary of the Department of Industrial Affairs)
- Mr Dennis Hyde (Industrial Officer of the Department of Industrial Affairs)
- Mr John Jones (Director, Metal Trades Industry Association)
- Mr Ken Taylor (Chief Industrial Officer, Metal Trades Industry Association)

I have received continuing support and advice from a small group from the Queensland Probation and Parole Service. They put in submissions and have been regularly on my doorstep advocating greater use of community corrections. They have impressed me with their arguments, their dedication and professionalism. They are:

### **COMMUNITY CORRECTIONS TASK FORCE**

- Mr Ken Bradshaw (District Manager, Qld. Probation and Parole Service)
- Mr Ian Stewart (District Manager, Qld. Probation and Parole Service)
- Mr Ross Evans (Area Supervisor, Qld. Probation and Parole Service)

I have engaged, with the Minister's approval, a number of Consultants to address specific queries I have raised. I will discuss their advice in the body of this Report. At this stage I only wish to acknowledge their involvement and say that each of the organisations involved has provided a totally professional effort that went beyond the commitment that would have been regarded as adequate. The people involved and the organisation they represented are listed below:

- Mr Steve Lonie  
Mr Barry Ffrench  
Mr P. Bartlett  
(*Touche Ross Management Consultants Pty Ltd*)
- Mr Allan Wilson  
Mr Jim Planincic  
(*Wormald Security Limited*)
- Mr John Jones  
Mr Ken Taylor  
(*Metal Trades Industry Association*)
- Mr Darryl Doessel  
(*Queensland University*)



- Mrs Margaret Cribb  
(*Executive Consultant Secretariat*)
- Dr Rick Andrew  
(*Queensland Government Management Consultancy Bureau*)
- Mr William Curnow  
(*Thiess/WMFL Corrective Services*)

In carrying out the Commission of Review I have had the unflagging support, encouragement and advice of the Under Secretary of the Department of Corrective Services and Administrative Services, Mr Peter Jones. My requests for resources have always been met. He has provided an expert source of advice regarding the processes of Queensland Public Service. Finally, I would like to draw attention to the co-operation I have received from the Comptroller-General, Mr Alex Lobban, and the Chief Probation and Parole Officer, Mr Jay Perkins, and the staff of their respective organisations. Without fail my requests for information were met in a timely, friendly fashion. In my visits to prisons and probation and parole offices, I was met with the utmost courtesy and consideration. In my Interim Report, I drew attention to the obvious high level of dedication of staff. I again confirm that the dedication and commitment of staff is the overwhelming impression I am left with.

### 1.5 Progress Towards Implementing the Q.C.S.C.

The purpose for which the Commission of Review was established is now completed. The Commission and its Secretariat will be wound up over the next few days. It is going to be a major task to implement the changes required to establish the Queensland Corrective Services Commission by the due date. For the first time there is a consensus about where corrective services in Queensland are heading. Acceptance of change and a momentum for change has been established. Such opportunities come only rarely. The momentum must not be allowed to slow down. The opportunity must not be squandered.

I am pleased that an Implementation Committee is to be immediately established. I recommend that the Implementation Committee should consist of myself as Chairman, with Mr Alex Lobban, Mr Jay Perkins and Mr Peter Jones as members. There is more than enough work with the legislation, administration, finances, drafting regulations, negotiating with the Unions and the Manual of Policy and Procedures to need a properly staffed Secretariat. The people we need are:

- Mr Graham Dalton—Director
- Mr Peter Roynance—Secretary (Legislation)
- Mr Bob Bleakley—Community Corrections
- Mr Trevor Carlyon—Custodial Corrections
- Mr Kel Olsen—Manual of Policy and Procedure
- Mr Geoff Hardy—Regulations
- Mr Dave Hayden—Union Liaison
- Mr Howard Baker—Financial Systems
- Mrs Sue Campion—Personal Secretary
- Mrs Gail Scott—Clerk/typist

An important matter that already has approval is for the Implementation Committee to be authorised to advertise for and make recommendations for the five most senior executive positions of the new Commission.

These positions will be:

- Director-General of Corrective Services
- Deputy Director-General (Corrections)
- Deputy Director-General (Corporate Services)
- Director of Community Corrections
- Director of Custodial Corrections

Now that the legislation is ready to be placed before Parliament, I can see no good reason why the establishment of the Q.C.S.C. should be delayed until 1 January, 1989. There is so much to do, that responsibility for corrective services needs to be vested in the new Commission *as soon as possible*. I recommend that appointments to the Board of the Commission be decided and announced and that the Commission be established as soon as legally possible following assent to the enabling legislation.

## 1.6 Submissions

There have been well over a 1 000 submissions received. It is impractical for this Report to provide a detailed analysis and debate of all the submissions. But all submissions have been carefully examined and in fact form the basis of my recommendations and findings. Quite a number of submissions make a substantial contribution to particular aspects of my Terms of Reference. Submissions received form a comprehensive and invaluable reference source for future planning and the direction of corrective services in Queensland.

Later in this Report I recommend the establishment of a Policy Research and Planning Division in the Q.C.S.C. This Division should be responsible for the use of the submissions in further review of policy.

Submissions received from prisoners, whilst not accepted on a confidential basis, include some sensitive and personal comments. I would suggest that submissions from individual prisoners be destroyed except where in my opinion a prisoner's submission is of such importance that it warrants retention. In that case I would suggest that prior to handing such a submission over to the Corrective Services Commission, that written permission be sought from the prisoner concerned.

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### ***RECOMMENDATIONS ARISING FROM THIS SECTION***

It is recommended that:

- 3 • An Implementation Committee be established with the following members:
  - Mr Jim Kennedy (Chairman),
  - Mr Peter Jones (Under Secretary),
  - Mr Alex Lobban (Comptroller-General of Prisons),
  - Mr Jay Perkins (Chief Probation and Parole Officer).
- 4 • Suitably qualified people be nominated by The Minister for Corrective Services and Administrative Services for appointment to the Board of the proposed Q.C.S.C. in accordance with major recommendation (1) in my Interim Report; and
  - The Queensland Corrective Services Commission commence operation as soon as the enabling legislation permits, (hopefully 1/12/88).
- 5 • With the exception of submissions from prisoners, all other submissions received by the Commission of Review become the property of the Q.C.S.C. to be used as an important resource for formulating future policies, plans and procedures;
  - In the event that I consider a particular prisoner's submission is important, written approval be sought from that prisoner to pass it over to the Q.C.S.C.; and
  - All other submissions received from prisoners be destroyed under supervision and that no copies be kept.