

April 2018

The Secretary,  
TASK FORCE FLAXTON  
Crime and Corruption Commission  
GPO Box 3123  
BRISBANE QLD 4001

Dear Sir,

Thank you for the opportunity to make a submission about Corrective Services in South East Queensland. I have no comments to make about women's prisons or about juvenile detention. My experience is as a visitor over 15 years to:

- Brisbane Correctional Centre [High Security]
- Darling Downs Correctional Centre [Low, now closed and sold]
- Palen Creek Correctional Centre [Low]
- Southern Queensland Correctional Centre [High, privatised prison]
- Woodford Correctional Centre [High]

I refer to my email dated 28<sup>th</sup> March 2018, and may I repeat three points:

- If my submission is to be published or is to be passed to others for comment or information, please expunge any information which could identify me or any present or previous prisoner.
- Much more useful information can be provided by prisoners. However I do not expect that many will come forward unless you offer them clerical assistance, unanimity, confidentiality and protection.
- None of the matters discussed herein are specific allegations of corruption. Prisons are secretive institutions and it is impossible for an ordinary citizen to access documents or to interview persons of interest. At best, these matters are drawn to your attention as potential opportunities for corrupt activities or potential risks for corruption.

### **Overall Impressions.**

I have no complaints in respect of the low security facilities at Palen Creek or the now closed Darling Downs. Both were relaxed places and visitors were treated with courtesy and respect. There always seemed to be a good relationship between staff and prisoners. The high security privatised corrective centre at Southern Queensland is, by definition, a tighter ship, but the attitude towards visitors and the staff-prisoner relationship is very satisfactory. This establishment provides throughout the year a number of well managed, relaxed family days, with excellent food and entertainment which are a credit to this establishment.

The same cannot be said about Woodford. It may have changed in recent years, but in my experience, visitors here were treated as if they too were criminals; and treated in an unacceptably aggressive manner. A number of old complaints are available if required. The chief point of complaint here was the Itemiser, the instrument used to detect drugs on visitors. The calibration, method of using the instrument, the interpretation of the results and the actions taken by staff following a bad result were a constant source of angst between visitors, staff and prisoners. Although the Itemiser yielded a very high proportion of rejected visitors, there were few, if any rejected visitors whenever drug detecting dogs were used instead of the Itemiser. Because the testing officers have discretion to accept or to reject visitors who test positive, there is an opportunity for such decisions to be influenced.

There are other complaints specifically about this establishment which are mentioned in other paragraphs.

**Food.**

None of the prisoners that I have had contact with have ever criticised food at any of the Centres other than at Woodford. The suggestion from some prisoners there is that the choicest food makes its way to the staff dining room and/or the contractors and some staff are colluding so that contractors are being paid for rations that are never delivered. There may be opportunities for corruption.

**Prisoners' Amenities Account**

Prisoners are able to buy supplementary food and treats, hire television sets and otherwise pay to improve their comfort. The vendor is a monopoly. There are complaints that the prices are far too high. The profits are meant to be returned to prisoners as additional communal amenities. There are complaints that some of the amenities end up in the staff recreation rooms and dining rooms. It appears that the prisoners have no input in the management of the account, its pricing and the distribution of profits. This may be an opportunity for corruption.

**Opening Prisoners' Mail.**

I have been told of examples of prisoners' mail, inwards and outwards, being opened, delayed unreasonably, censored and altered. These examples include privileged communications between prisoners and their legal advisers and also include signed legal documents being altered. This is clearly quite illegal.

**Handling Complaints.**

I am happy to provide the Task Force with many examples of the "non-answers" to my complaints. The whole of the Queensland public service is notorious; but Corrective Services have lifted the failure to address the issues to an art form. To my mind, failure to address a specific complaint is a sackable offence.

**Overcrowding**

Much of the strife in prisons is a result of overcrowding. It is reported weekly in the press or on TV, so the authorities cannot suggest that they are unaware of the problem. In some cases the overcrowding is acute while in other institutions there is reportedly no problem. If that is the case, then it hardly needs an Einstein to solve the problem. In practise, when there is overcrowding, it is difficult to segregate the mentally ill and the bullies from the main stream prisoners. Those difficult prisoners raise the stress levels and tensions in the dormitories and increase the risks of violent and unacceptable prisoner behaviour. It also increases the stress and injury risk to warders. If overcrowding is such a problem, what was the rationale for selling off the Darling Downs prison farm? The prison itself [48Ha] sold for only \$800,000 to a developer, the surrounding farm land of 300+ Ha sold after auction for an undisclosed sum. Probably the sale made little impression on the department's overall budget, but was significant in terms of overcrowding.

**Sentence Management**

I understand that this is the branch that oversees the progress of prisoners through the system from sentencing through to parole. Amongst other responsibilities this branch reviews and reclassifies prisoners' security status and authorises their movement from high to low security prisons and to work camps. These are vital milestones in the life of a man sentenced to a long term behind bars. I have had occasion to complain on behalf of a prisoner about the unbelievable incompetence of the process [copies available]. Because these decisions are so important to a prisoner, and because such momentous decisions are delegated to some quite junior and inexperienced persons, there is an inherent risk that money could change hands in order to influence outcomes. It has also been suggested that on occasions "difficult"

prisoners are moved to low security farms as an easy solution. Although a severe error was made in the example I have given, it is pleasing to note that this complaint did bear fruit and the wrong was righted. I remain satisfied that despite the odd glitch, the system remains sound and that a prisoner will, given good reports and good attitude, progress from high security to low security to work camps and finally to parole.....at least I was satisfied with that system until the [REDACTED] **intrusion** [see separate para] which threw a well proven system on its head.

### **Rehabilitation.**

There are two schools of thought. One believes that criminals are sent to prison to be punished and that it is unlikely that they will ever become decent citizens. The other school is of the opinion that prison is an opportunity for those who have gone off the rails to be re-programmed and re-educated so as to return to society as reformed, decent and productive citizens. The Act is quite clear as to which philosophy is to be followed, though it appears that all Corrective Service staff, and [REDACTED], are not convinced.

Rehabilitation must obviously focus on the major reasons why men are in prison. Those reasons, in my opinion are drugs, lack of education, lack of social skills [particularly in relations with women], lack of moral/religious values and lack of employment skills. I have observed that the drug rehabilitation courses offered are mostly successful, [depending on the attitude of the individual prisoner], but the other forms of rehabilitation on offer do not quite meet the needs of prisoners. A few specific issues:

- A prisoner was funded by friends to do a particular external vocational training at advanced diploma level. Without making enquiries the staff decided that the course was not job oriented and denied him a \$10/day study allowance and also made it difficult for him to access the resources needed for this study.
- At Woodford, a furniture manufacture facility was closed down for no known reason [Jail House Pine furniture was renown throughout Queensland]; subsequently a plastic water tank manufacturing facility was established and within a short period this too was closed down. The very significant loss of public assets is disturbing; so too is the loss of facilities where prisoners can learn some skills and can establish a work ethic. From the corruption perspective, it may be useful to track this decision-making process and to see who benefitted from selling machinery to the Service and who benefitted from its disposal.
- On the positive side, I have observed at Southern Queensland a number of prisoners fruitfully engaged in training assistance dogs and a smaller number engaged in breeding butterflies for use in schools. I believe that both were excellent, interesting and worthwhile community oriented rehabilitation programmes. Other rehabilitation such as Kairos Inside, the Sycamore Project and the Shakespeare Play Group provide valuable self-awareness and personal growth opportunities for prisoners.
- The key rehabilitation aspect is the progression by stages from high security to work camps; as the prisoner progressively moves from a highly directed existence to one of relatively little supervision and of making more decisions for himself and opportunities to regulate his own positive behaviour. That was the well tried and proven system until the [REDACTED] **intrusion**[see separate para].
- The final stage of rehabilitation is parole ; see separate para on this subject

### **Parole.**

The work of the new Parole Board cannot be faulted. However when a prisoner is approved and given a firm date for parole, it would seem reasonable in the case of long term prisoners to provide some help for re-entry back into society. In particular help is needed to obtain:

- A MEDICARE card
- A driving licence
- A mobile phone

- Some tuition in using computers. Some parolees leaving prison now have never used a computer and will be completely out of their depth.
- Some basic understanding of social media.
- Registration with Centrelink and commencement of allowances.
- Tuition in Job application skills: CV, interview technique.
- Assistance if finding accommodation

These forms of assistance are not happening. It is understood that a company, [REDACTED], is contracted to provide such services, but they appear to be focussed only on the north of the state. It may be that the contractor is being paid for services that are not being delivered. At one time OzCare assisted with housing for released prisoners who had no support from family or friends. The closure of OzCare means that such prisoners cannot be considered for parole because they have no satisfactory place to go. This has adverse outcomes for prison costs and overcrowding.

### **Youth Boot Camps**

This much-publicised and very expensive programme was ill-conceived, poorly planned and completely mismanaged. The cost is said to have blown out from \$1.6M to \$13M. The only measurable outcome was the personal publicity generated for the minister. So much money was lost and such a poor result achieved that this disaster must be examined for possible corruption.

### **Drugs in Prisons.**

My informants are adamant that drugs are available in prison, and that the frequency of urine tests is insufficient to provide a real deterrent. Drugs can only enter via two routes: visitors or staff/contractors; though it is only a matter of time before drones become the preferred delivery means. In my experience the regime for testing visitors is rigorous, and I have no information about testing staff and contractors on a daily basis. The opportunities and rewards for staff to smuggle drugs into prisons must represent a temptation and an opportunity.

In 2012[approximately] Woodford was isolated for two weeks by floods. There were no visitors yet it seems to be common knowledge that the supply of drugs was not affected.

The contracts of privatised prisons provide a negative incentive to detect drugs. Apparently, the more drugs they detect the more they are penalised under their contract. Perhaps the opposite would be better.

### **[REDACTED] Intrusion.**

On 29<sup>th</sup> June 2015 two prisoners on a work camp in North Queensland escaped. They handed themselves in three hours later. This was a rare event because those that have progressed to this stage are usually very eager to keep their slate clean and to progress as smoothly as possible to the final stage—parole. The Minister [REDACTED] ordered that all prisoners serving life terms or convicted of murder, who were on work camps were to be immediately returned to a high security centre. Furthermore, such prisoners were, on his order, to serve the remainder of their sentence in high security and without the opportunity to ever again participate in work camps. This had a number of consequences:

- It is inconceivable that a Minister would interfere in such a “hands on” way in the administration of his department. It is the role of a minister to change the law or the regulations to achieve policy changes that he might wish.
- Neither of the escapees was sentenced to life imprisonment and neither was convicted of murder, yet that was the group that he, [REDACTED], chose to punish.
- The ministerial edict was a complete over-reaction. The real problem was that two young offenders had been classified as ready for work camps when clearly they were not. The problem lay in the department’s processes, but it was the prisoners who were punished, not the departmental officers

who had erred.

- It was inconceivable that the senior professional officers in the department failed to advise the AG of the error of his ways. If they did so advise then it is inconceivable that the senior professional officers failed to tender their resignations on the grounds on incompetent interference in departmental matters by the minister.
- Those categories that ██████ chose to punish could never again have meaningful and progressive rehabilitation.
- This action flies in the face of all standards of discipline. One does not punish the multitude for the sins of a few. It also flies in the face of every known principle of corrective services, of all the principles of rehabilitation and of the principles given in the Corrective Services Act ...the Act which this Minister is required to uphold. None of these prisoners was re-classified or considered under sentence management processes and none was offered the opportunity to appeal.
- Some men, around 30 I believe, had responded so well to the rehabilitation process that they had already participated in six or more work camps and were in every way, ready to be considered for parole. This ill-advised decision was devastating to those men and undermined the rapport that had been established between the supervisors and the work camp participants.
- Numerous complaints were lodged and copies can be provided if required.
- On the issue of corruption, it is noted that mostly corruption is characterised by the use of money or some other “in kind” inducement. It does not seem that ██████ was so motivated; but it does appear that he was motivated by an ambitious need to achieve a political reputation and to advance himself as the government’s strong man, tough on crime and punishment. The opportunity to advance his party’s credentials on crime and punishment by mistreating a group of prisoners was, in my opinion, as corrupt as if he had accepted a bribe. The benefits were in political terms not financial terms. The same man has boasted on television of his aspirations to much higher office; and clearly he has here used the status of his ministerial office and his ministerial expense account to further his own political ambitions.
- It was also disappointing though probably not defined as corrupt that the senior officers of the department failed to stand up to their minister, valuing their jobs and salaries higher than their professional reputation and the maintenance of well established principles of prison management.

During my 15 years of prison visits, no other incident stands out nearly as much as this in the list of matters that bring Corrective Services into disrepute.

## **Summary**

The following are areas in which, in my opinion, there is or has been a risk of corruption:

- The Itemiser at Woodford: possibility that successful results can be purchased, or a bad result overlooked.
- Food at Woodford: possibility that food is being diverted or that the supply contractor is not properly supervised.
- Prisoners Amenities Account: possibility that money or amenities from this account are being misdirected.
- Tampering with prisoners’ mail: there is clear evidence of illegal actions if prisoners can be persuaded to testify.
- Sale of Darling Downs prison: the business case given in support of selling this prison could be re-examined in the light of present overcrowding and the dwindling rehabilitation opportunities at farms.
- Sentence Management: possibility that delegates could be offered incentives to make the right decisions.
- Rehabilitation: possibility that Woodford furniture manufacture and plastic water tank facility were

closed for the wrong reasons and possibly for somebody's benefit.

- Parole: possibility that [REDACTED] is being paid for services that they are not providing.
- Youth Boot Camp: possible corruption in the purchase of facilities, in awarding contracts, in unsatisfactory supervision and in disposing of failed facilities.
- Drugs: possibility that staff are selling drugs to prisoners.
- [REDACTED] Intrusion: possibility that the Minister over-reacted in order to improperly achieve personal political ambitions.

Yours faithfully,

[REDACTED]