CCC EXHIBIT

2 0 APR 2018

Mr Alan MacSporran QC
Chairperson
Crime and Corruption Commission
GPO Box 3123
BRISBANE QLD 4001

Dear Mr MacSporran QC

Thank you for the opportunity extended to Queensland Corrective Services (QCS) to provide a submission to Taskforce Flaxton. I gratefully acknowledge the due date extension granted to QCS by the Commission.

Please find enclosed QCS' submission to Taskforce Flaxton which can to be treated as a public submission. I have enclosed both in-confidence and public versions of relevant Custodial Operations Practice Directives as part of the submission and respectfully request that the in-confidence procedures are not released publicly due to the potential risks to the safety and security of correctional centres.

QCS is committed to building a mature, sustainable, and corruption resistant culture and welcomes recommendations that will contribute to the development of such a culture.

If you require further information or clarification in relation to QCS' submission, please contact ███████ ████ ██ ███ ██ ██ ██ ██ ██ ██ ██ ██ ███
███████████████████

I trust this information is of assistance.

Yours sincerely

Peter Martin APM
Commissioner

Encl.

Queensland Corrective Services

Submission to Taskforce Flaxton

April 2018

Queensland
Government

Table of Contents

Acronyms

QAO – Queensland Audit Office

BWC – Body Worn Cameras

CCC – Crime and Corruption Commission

CCO – Custodial Correctional Officer

CCTV – Closed Circuit Television

CI – Chief Inspector

CMS – Complaint Management System

COPD – Custodial Operations Practice Directives

COEP – Custodial Officer Entry Program

CS Act – *Corrective Services Act 2006*

CSIU – Corrective Services Investigation Unit

DCS – Department of Community Safety

DJAG – Department of Justice and Attorney-General

DOME – Digital Offender Management Environment

ESU – Ethical Standards Unit

ICT – Information and Communication Technology

IM – Information Management

IOMS – Integrated Offender Management System

IP Act – *Information Privacy Act 2009*

KPI – Key Performance Indicators

OIS – Offender Information Systems

OPG – Operational Practice Guidelines

PID – Public Interest Disclosure

QAO – Queensland Audit Office

QCS – Queensland Corrective Services

QCSIG – Queensland Corrective Services Intelligence Group

QPS – Queensland Police Service

RTI Act – *Right to Information Act 2009*

WEU – Workplace Engagement Unit

Introduction

This paper is Queensland Corrective Services' (QCS) submission to the Crime and Corruption Commission's (CCC) Taskforce Flaxton. It contains QCS data and analysis which has been completed and compiled by QCS. The paper does not represent Government policy.

QCS acknowledges that the business of corrective services, and particularly correctional centres where custodial staff face a heightened risk of assault and have sustained contact with Queensland's criminal population, carries inherent corruption risks and organisational culture challenges. These risks and challenges are unique within the public sector and additional to the risks which are common to all public sector entities, such as fraud and misuse of information.

Taskforce Flaxton comes at a critical juncture in the history of corrective services in Queensland. For the first time since 2009, Queensland has a dedicated and standalone corrective services department which will allow a specific and sustained focus on the development and reform of the correctional system. With formal establishment on 21 December 2017, the new department is in the process of finalising staff transfers and establishing new structural and leadership arrangements.

QCS has also embarked upon the development of an ambitious 10 year plan to chart a course for the strategic development of corrective services in Queensland. This plan will build on the implementation of the once in a generation reforms arising out of the Sofronoff Review, which highlighted a range of serious deficits across the correctional system. The review found that the system had become "antiquated and emaciated", prompting a $265 million investment by the Queensland Government, over six years, to deliver reforms and greater effectiveness of the parole system.

Comprehensive consultation occurred with staff across all roles, to inform the development of the 10 year plan which has highlighted a recurring theme: the large majority of the QCS workforce, overwhelmingly desire to deliver a world class correctional system that will make Queenslanders safer. This ambition cannot be achieved unless we commit to the highest standards of integrity. Our 10 year strategy can only be successfully delivered if it is comprehensively supported and enabled by our culture.

QCS staff also raised, strongly and consistently, that the workforce requires greater support because significant capability deficits, such as those identified by the Sofronoff Review, have emerged as a result of the sustained growth in prisoner and offender numbers. Similarly, QCS recognises and notes the interest the CCC has expressed with regards to the system pressures arising as a result of rising prisoner numbers in Queensland. The extreme increase in demand, which has now continued unabated for six years, has affected every aspect of QCS' operational and supporting functions. Responding to this demand, and particularly managing the growing risks from overcrowding of correctional centres, has been the overwhelming priority for QCS during this period.

For these reasons, QCS welcomes Taskforce Flaxton as an opportunity to assist in assessing existing systems and controls and in shaping the formation of a new top tier public safety department, its systems, processes and deployment of available resources. QCS is fully cooperating with the CCC in any and every way necessary.

Prior to the Administrative Arrangement Order (No.4 2017) on 21 December 2017, to create QCS as a stand-alone department, QCS had been a service area within a department since March 2009, when the Department of Community Safety (DCS) was formed. This Department was an amalgamation of the Department of Emergency Services (Queensland

Ambulance Service, Queensland Fire Service and the State Emergency Service) and QCS. Following the Keelty Review, DCS was divided into several entities in November 2013 and QCS was transferred to the Department of Justice and Attorney-General (DJAG).

While QCS has retained control over practices and procedures for core operational functions such as correctional centres and community corrections, the majority of the corporate functions and associated policies and procedures were transferred to the Department of Community Safety and subsequently to DJAG.

Accordingly, QCS is now in the best position it has been in for the past nine years to develop policies and procedures to build a corruption resistant culture and a mature departmental structure through People Capability, Finance, Ethical Standards and Internal Audit functions that are specifically geared to the unique, and complex, needs and risks of corrective services. It is expected that Taskforce Flaxton may identify deficiencies and opportunities for improvement in the current policy and procedural framework. Where such gaps have already been identified by QCS, they will be highlighted in this submission.

The development of new policies and procedures to aid the development of a mature, corruption resistant culture for the Queensland correctional system is a key priority for QCS, with work commencing in earnest following the machinery of government changes. During this work, QCS will refer to the CCC's *Fraud and Corruption Control Best Practice Guide* and recommendations that arise out of Taskforce Flaxton to ensure best practice.

The submission provides an overview of QCS including key challenges and the different practices, policies and procedures in place covering areas such as risk management, internal controls and oversight and reporting mechanisms. It also identifies existing gaps and opportunities for future improvement. While the submission is broken down into different chapters which highlight and deal with different issues, these issues are closely linked.

The timing of Taskforce Flaxton provides QCS the opportunity for the department to work collaboratively with the CCC to evaluate best practice and set the foundations upon which the department will build a best practice system and corruption resistant culture. QCS is taking every opportunity through this process to learn and improve, to critically examine practice and develop new corruption prevention and detection strategies to enhance community confidence in this top tier public safety department. QCS is committed to fully cooperating with the Taskforce and welcomes recommendations to deliver sustained improvement.

Chapter 1 Overview of QCS

The *Corrective Services Act 2006* (CS Act) establishes the primary legislative basis for the management of prisoners and offenders. The purpose of QCS is community safety and crime prevention through the humane containment, supervision and rehabilitation of offenders.

QCS delivers the following key services for Queensland:

- administration and management of sentences imposed by the Courts;
- safe, secure and humane management of prisoners in correctional centres;
- management of adult offenders in the community;
- reducing crime and re-offending by delivering evidence-based rehabilitation programs and risk management; and
- providing opportunities for prisoners and offenders to make reparation by performing community service.

QCS delivers these services within a complex environment, primarily as part of the criminal justice system, but which is inextricably linked to the health, education and social services sectors. The QCS workforce is vital to the department achieving its purpose, with over 4,500 staff working every day to protect the people of Queensland by dealing directly with some of the most dangerous and complex people in our society. The heightened risk of injury and the sustained and intimate contact required with Queensland's criminal population makes QCS' workforce unique within Queensland's public service.

Queensland has 11 high security correctional centres, six low security correctional centres and 13 work camps. Of the 11 high security centres, there are two privately operated centres, Arthur Gorrie and Southern Queensland Correctional Centres which accommodate approximately 17.5% of Queensland's prisoner population. Queensland also has 34 Probation and Parole district offices and over 100 reporting centres.

The Department of Health is responsible for the delivery of health services, including oral and mental health services, in publicly operated correctional centres and for the delivery of oral and mental health services in privately operated correctional centres. The contracted operators of the two private facilities in Queensland are responsible for contracting health practitioners for the delivery of all other primary health services. Publicly and privately operated correctional facilities may also access the Princess Alexandra Hospital Secure Unit which is a state resource which has 12 single inpatient beds.

1.1 Growth in prisoner numbers

The CCC Issues Paper[1] notes that Queensland is experiencing growing overcrowding in its correctional facilities which has had impacts on infrastructure and resourcing. The Issues Paper further states that as prisoner numbers continue to exceed the capacity of correctional facilities, the risk of conflict, violence, and serious assaults against staff and prisoners will increase.

QCS provides the following information to assist the CCC to understand the implications of growing prisoner numbers.

Queensland's prison population has increased by over 50% since January 2012. Queensland has a total built cell capacity of 7,031, which consists of 6,222 high security cells and

---

[1] Page 7 – Taskforce Flaxton – an examination of corruption and corruption risks in Queensland corrective services facilities - Issues paper and invitation for public submissions. March 2018

809 low security beds. As at 31 March 2018, the prisoner population was 8,818, resulting in over 3,890 prisoners sharing accommodation designed for one prisoner.

Queensland's secure correctional centre capacity was operating at 131% as at 31 March 2018. In some locations, secure accommodation units are operating at 200%, which means every cell designed for single prisoner occupancy is occupied by two prisoners.

Women prisoners

The imprisonment rate of women in Queensland is the third highest in Australia and while the male prisoner population is rising, the female population is rising faster. Since January 2012, the number of female prisoners in south Queensland has increased by 80%, from 311 to 562 in January 2018. This is in comparison to 50% growth in male prisoners in south Queensland for the same period (3,661 to 5,519).

Overcrowding is highest at Brisbane Women's Correctional Centre which has consistently been the most overcrowded correctional centre since 2014. As at 31 March 2018, this Centre was operating at 161% capacity.

Aboriginal and Torres Strait Islander women continue to be over-represented in custody, with approximately 36% of the women prisoner population identifying as Aboriginal or Torres Strait Islander. Whilst approximately 45% of all women prisoners have been incarcerated previously, this number is over 70% for Aboriginal and Torres Strait Islander women prisoners.

The remand population is increasing across the state, however the female remand population is increasing at a higher rate than the male remand population. Between 2011-12 and 2016-17, the average number of unsentenced female prisoners grew by 143.6%, compared with 96.8% for unsentenced male prisoners.

Risks and consequences of overcrowding

Overcrowded correctional centres increase the occurrence of death, injury and escape; reduce the opportunity for dynamic security through effective offender interaction; and reduce access to rehabilitation opportunities, which compromises community safety and critically, presents workplace health and safety risks for correctional centre staff.

High risk environment

These workplace health and safety risks are demonstrated by the increased number of assaults on staff since 2011-12. In 2016-17 there were 305 staff victims of assault incidents, up from 139 when compared to 2011-12. There were also 1,492 prisoner victims of assault who required medical treatment for their injuries. In addition, 250 prisoners required hospitalisation or ongoing treatment as a result of serious assaults by other prisoners.

There has also been a rise in prisoner self-harm incidents, including attempted suicide, beyond the rate of the prisoner population growth. In 2011-12, the self-harm incident rate was 4.90 per 100 prisoners. This rate has increased by 182% to 13.20 per 100 prisoners in 2016-17.

Research shows that victimisation and witnessing violence between prisoners negatively affect staff's personal sense of security and increase correctional staff burnout.[2] Furthermore,

---

[2] Isenhardt, A. & Hostettler, U. (2016) Inmate Violence and Correctional Staff Burnout: The Role of Sense of Security, Gender, and Job Characteristics, Journal of Interpersonal Violence, 1-35

when staff wellbeing is impacted due to demands of the job, there is a heightened risk of poor decision making and compromise of professional boundaries.[3]

The number of assaults is exacerbated by the relatively small number of specialist cells in proportion to the prisoner population to cater for those who require segregation, special management or intensive observation. As prisoner numbers increase so too does the reliance on these specialised cells and units to ensure the safety of staff and prisoners.

Reduced access to rehabilitation and reintegration activities

Due to the increased prisoner population there are reduced opportunities for prisoners to access necessary rehabilitative programs and services. This is caused by constraints in expanding programs due to a lack of available program facilities during the day and staff to co-ordinate and deliver the programs. QCS is currently reviewing the use of classrooms to maximise efficiency within available infrastructure. Many of the Sofronoff Review recommendations relating to custodial rehabilitation programs depend on there being sufficient infrastructure capacity.

Demand on infrastructure

The growth in prisoner numbers is placing strain on prison infrastructure and services. As a salient case example, sewerage failures have occurred at both Brisbane Women's and Arthur Gorrie Correctional Centres in recent years. System failures disrupt operations and can make prisoner accommodation units unusable, increasing demand on other overcrowded units and centres.

There has also been an increase in the number of incidents of property being damaged by prisoners. This has resulted in QCS exceeding the minor capital works and building maintenance budgets due to increasing costs of damage to infrastructure.

Fire safety compliance

QCS occupancy numbers are governed by the National Construction Code. Under the Code performance based design can vary the number of occupants accommodated in these buildings, and performance solutions are currently in place at all QCS centres. The secure units within the correctional centres have been designed to provide a high level of fire safety above the minimum requirements of the Code.

The occupancy requirements for the accommodation buildings have increased above the approved building designs. QCS in consultation with Department of Housing and Public Works is seeking validation and recertification of the current performance based designs to support the increased prisoner numbers. As part of this process, consultants are reviewing the original designs to confirm their suitability for increased occupancy levels above the currently approved design.

In the interim, Queensland Fire and Emergency Services has been advised and QCS has implemented a number of safety measures, such as additional supervisors and officers to mitigate the potential safety risks of current occupancy of the centres until the re-certification process is completed.

---

[3] Ceschi, A et al; (2017) Decision-Making Processes in the Workplace: How Exhaustion, Lack of Resources and Job Demands Impair Them and Affect Performance.

Impact on other criminal justice and human service providers

The impacts of rising prisoner numbers are also felt throughout the health and criminal justice system, with Department of Health and Legal Aid Queensland services affected due to increased service demand.

The Department of Health provides prisoner health services in a complex operating environment to prisoners whose health profile is generally worse than that of the general population. Levels of infectious disease, mental illness and drug and alcohol problems for prisoners are much higher than in the community. The rising prisoner numbers is exacerbating these complexities due to the Department of Health being required to provide medical services to an increasing number of prisoners within medical facilities designed to service fewer prisoners.

Prisoner access to legal services is also adversely affected with the number of remand prisoners and prisoners with parole matters continuing to increase. Legal visit times have been expanded at correctional centres to meet the increased demand however the physical space used for legal meeting rooms places a constraint on legal access.

Private providers

In 2017, GEO, the current provider at Arthur Gorrie Correctional Centre formally declined a request by QCS to accommodate additional prisoners at the Centre beyond the current contracted level of 1,187 prisoners (135%). This was due to a range of concerns including staff safety, prisoner safety, infrastructure limits, centre restrictions and operational compliance with contractual performance requirements.

Serco Australia, the current provider for the Southern Queensland Correctional Centre, has also advised they are unlikely to accept any further proposals from QCS to accommodate additional prisoners past the current contracted level of 402 prisoners (or 133%) for similar reasons to GEO.

The consequence of this is that the impact of rising prisoner numbers will disproportionately affect the public operated centres, unless the number of prisoners accommodated at privately operated correctional centres increases.

It is noted that tender processes are underway or imminent for the future management of Arthur Gorrie and Southern Queensland Correctional centres.

External criticism

The conditions in correctional centres have attracted criticism from external oversight bodies such as the Queensland Ombudsman. Since 2013, there have been two critical Ombudsman investigations into overcrowded prisons. The second report in September 2016 was specifically focused on Brisbane Women's Correctional Centre.

Demand management strategies

Since 2015, the Queensland Government has implemented a number of demand management strategies aimed at reducing the growth in the prisoner population. These strategies include the Sofronoff Review, Re-Entry Services, the Sisters Inside Supreme Court Bail Program, revision of low security custody and revision of parole suspension practices.

Sofronoff Review

In February 2017, a major reform of Queensland's parole system was approved following a review undertaken by Mr Walter Sofronoff QC. The Sofronoff Review provides a blueprint for a major reform of the correctional system. QCS received funding of $265 million over six years to commence implementation of this reform, including the professionalisation of the Parole Board, improved management of offenders in the community, and the expansion of rehabilitation and re-entry services.

Implementation of the reform agenda will make significant improvements to the correctional system and improve community safety. However, implementation of the suite of reforms will occur over the next five years and the reforms are unlikely to significantly reduce growth in prisoner numbers in the short to medium term.

Re-Entry Services

Re-entry services assist prisoners to desist from re-offending and to succeed on parole. With the aim of reducing re-offending, QCS has completed several projects to co-design, develop and implement new, enhanced re-entry services. The three new re-entry services include:

- CREST – a regionally based re-entry service in all male correctional centres and Townsville Women's Correctional Centre;
- MARA – a co-designed, gender specific service for female prisoners in south east Queensland; and
- Borallon Training and Correctional Centre Throughcare Service – a co designed, centre-based service which places a strong focus on education and employment pathways.

Sisters Inside Supreme Court Bail Program

In response to the significant growth of the female remand population, QCS initiated the Supreme Court Bail Program to support remanded women prisoners to apply for and achieve bail. The program commenced as a pilot in March 2016 and is currently delivered by Sisters Inside at Brisbane Women's, Numinbah and Townsville Women's Correctional Centres. As at 31 December 2017, 61 prisoners had successfully applied for and were released on bail, allowing women prisoners to return to their communities and families, while awaiting determination of their court matters. The bed days saved through this initiative have been significant.

Housing Strategy for women on parole

As part of the *Queensland Housing Strategy 2017-2020 Action Plan*, the Department of Housing and Public Works in partnership with QCS is implementing a coordinated housing and support initiative for approximately 40 women offenders on parole or at risk of being remanded in custody each year for three years.

Low Security Custody

QCS reviewed the placement criteria for low security custody. All women prisoners are now assessed for low security placement with a revised decision making threshold in place. This has resulted in an increased utilisation of low security custody for women prisoners.

Parole suspension process

In April 2015, QCS enhanced individual case management of women prisoners whose parole order had been suspended enabling progression towards removal of barriers impacting on re-release into the community. QCS also amended the policy regarding mandatory

suspensions for an offender returning a positive drug test to increase opportunities to address their substance issues in the community.

Strategies to reduce the impacts of overcrowding

Custodial infrastructure

In May 2015, the Government approved the staged recommissioning of Borallon Training and Correctional Centre to provide an additional 492 cells to accommodate male prisoners. Borallon Training and Correctional Centre currently has a capacity of 332 cells, with the refurbishment of the remaining 160 secure cells due for completion by June 2018.

In January 2017, the Queensland Government approved the expansion of the Capricornia Correctional Centre which will provide an additional 164 residential beds and 100 secure cells by December 2020.

In the 2017-18 State Budget, QCS received funding over two years of $16 million (including $3.5 million offset) to increase prison infrastructure at Brisbane Women's Correctional Centre.

The business cases for expansion of Arthur Gorrie Correctional Centre by 628 cells and Stage 2 of the Southern Queensland Correctional Precinct by 1,004 cells have been completed by Building Queensland.

Correctional centre strategies

QCS' Violence Prevention Strategy was developed to provide staff with a framework for developing initiatives to prevent violence and enhance the safety of staff, visitors, prisoners, offenders and the public (**Attachment 1**). Launched in August 2016, each secure public correctional centre is required to appoint a Coordinator responsible for overseeing violence prevention activities at a local level, and established a Violence Prevention Committee to lead the identification, planning, implementation and reporting of local initiatives, based on local needs. The Strategy has focused largely on influencing behaviours and attitudes towards violence, minimising opportunities for violence, and fostering a culture where prisoners feel respected by staff, and therefore able to voice their frustrations instead of displaying aggression.

Within custodial centres, strategies have been adopted to reduce the operational impact of overcrowding. Prisoner movements and activities have been adapted to manage competition for unit amenities and reduce known points of conflict and high risk periods. Additional exercise equipment has been provided and gym and oval rosters have been revised to allow more outside time. There is increased cell access for prisoners who want to remove themselves from the noise and activity inside secure accommodation units, and headphones are available to help mitigate the noise impact of shared cells. Prisoner industries have been extended from five to seven days of operation in some locations.

Double-up funding agreement

In April 2014, a new process was introduced for providing additional revenue to QCS for every prisoner held above the built cell capacity of each centre. Funding requirements are developed based on the specific design and prisoner profile at each correctional centre. An additional $77 million in funding is budgeted in 2017-18 to manage the increased prisoner population. The arrangement has assisted QCS to ensure essential services and staffing relating to safety, security and good order of correctional centres are brought online promptly as prisoner numbers increase. Notwithstanding the issues arising from overcrowding, QCS

has ensured, first and foremost, that as prisoner numbers increase, so too do correctional centre staffing levels.

QCS is currently working with Queensland Treasury to revise the existing arrangement to meet the demands of the increasing prisoner population.

Bunk beds

QCS is constructing 1,000 bunks to increase prisoner bed capacity. These bunk beds will be specifically designed to minimise hanging points within cells. Bunk beds are not a means by which QCS is able to increase capacity. The bunks are designed to improve the humane containment of prisoners, by ensuring prisoners who are required to share a single cell, are able to do so with a purpose built bunk, as opposed to a mattress on a floor.

In 2017-18, QCS commenced installing bunk beds at Brisbane, Lotus Glen, and Woodford Correctional Centres and Borallon Training and Correctional Centre. The remaining bunk beds will be progressively installed in 2018-19 and 2019-20 following the completion of the air extraction upgrades at each correctional centre to ensure compliance with building safety standards.

Non-custodial infrastructure for support and ancillary staff

Notwithstanding the perennial issues with the accommodation of prisoners in high security, efforts to rapidly increase the number of staff in response to the growing prisoner population has resulted in QCS exhausting available space in some centres to accommodate staff working in support service areas. These areas include offender intervention, sentence management and essential health services.

To partially address capacity issues, QCS received additional funding of $13 million in 2016-17 to provide adequate facilities to accommodate additional support and ancillary staff required to service the growing prisoner population. This funding has been prioritised for additional non-custodial infrastructure at Woodford Correctional Centre and Brisbane Women's Correctional Centre and will be delivered by June 2018. The minor capital base allocation has also been prioritised for external storage containers, residential common room prisoner property lockers, additional seating in secure accommodation day rooms, and additional cooking, medical and plant equipment.

QCS will continue to work closely with Government to manage the issue of overcrowding in a responsive and humane way, with the safety of correctional staff as the highest priority.

Chapter 2 Coordination mechanisms

Coordination mechanisms cover a range of areas including the fraud and corruption control framework and associated policy and plan, supporting documents, procedures, communication, and best practice targets.

In the interim before a new departmental policy is developed, QCS is using the DJAG Fraud and Corruption Control Framework which outlines the minimum requirements and responsibilities for the governance, prevention, detection, and the response to suspected fraud and corruption within QCS (**Attachment 2**). The Framework incorporates legislative requirements and consists of the following internal resources and processes:

- the Fraud and Corruption Control Policy;
- the Risk Management Framework;
- DJAG fraud risk controls;
- the Code of Conduct;
- staff training, awareness and cultural change program;
- protections and supports for disclosures; and
- reporting processes.

These processes will be discussed in detail in later chapters. The policies and procedures in the Framework govern QCS' risk of fraud and corruption through clear and accountable processes with defined monitoring, review and oversight functions, supporting documents and communication tools.

Best practice dictates that every organisation requires management and oversight functions to ensure adequate fraud and corruption control. QCS has used DJAG support provisions for the monitoring, review and oversight of fraud and corruption control through:

- a Fraud Control Officer within the Corporate Governance Unit, DJAG who is responsible for improving the fraud risk and corruption framework and supporting operational areas in preventing fraud;
- the Fraud Risk Operational Group which sets the operational and organisational fraud and corruption management strategy, ensures the fraud risk framework complies with public sector requirements and consults with operational areas;
- the Audit and Risk Management Committee which is a governance committee chaired by an external party. The Committee operates under an approved Terms of Reference, and has due regard to Queensland Treasury's Audit Committee Guidelines: Improving Accountability and Performance;
- the Internal Audit Unit provides independent, authoritative and confidential advice to the Chief Executive of QCS and independently reviews departmental operations; and
- risk registers which capture risks, including fraud and corruption risks, in divisional or operational areas when the potential for fraud and corruption arises. The Policy requires all risks to be assessed at least annually.

Work is underway to develop a new Fraud and Corruption Framework, Policy and Plan that both reflects the specific needs of QCS and operates in an integrated cohesive manner with all other coordination mechanisms in place. These documents will aim to drive business integrity through strong leadership, sound corporate governance, accountability, internal control and transparency. The QCS Fraud and Corruption Framework, Policy and Plan will support the Strategic Plan and other management plans as required.

The development of these documents will be supported by the body of work underway to strengthen internal governance practices, including the development of new governance committees such as the Audit and Risk Management Committee.

Chapter 3 Risk management systems

Risk management systems allow for the proactive management of fraud and corruption risk and allow departments to achieve their objectives by assessing and mitigating potential risks to better inform planning processes and improve accountability, transparency and ethical decision making.

DJAG's Fraud and Corruption Control Policy works through a program of fraud and corruption risk assessment and employs the recommended five-step risk management process as defined in the Australian Standard AS/NZS ISO 31000:2009 and broadly includes the following:

- establish the context;
- identify the risks;
- analyse the risks;
- evaluate the risks; and
- treat the risks.

Ethical Standards Unit

Previously the DJAG Ethical Services Unit (ESU) provided the delivery of QCS risk assessments. Under this model, the ESU function for QCS was limited to reactive investigations, advising on ethical dilemmas, conflict of interests and providing general advice on ethical issues.

Given the critical role the ESU plays in accountability, transparency and ensuring a healthy, mature, corruption resistant organisational culture, the ESU was identified as a function that must be established within QCS at the earliest opportunity. Accordingly, once the machinery of government transfer of staff was effected, the newly established ESU commenced operations on 1 March 2018. QCS recognises the significance of the role for ESU, both within the context of Taskforce Flaxton, but also for the sustained development of a mature organisational culture. ESU has identified a number of initiatives and opportunities that would enhance the capability of the Unit and ensure that ESU is driving this important cultural change. These opportunities are outlined in **Chapter 4.6 Ethical Standards.**

Like other units of this nature, the ESU is focused on the development and delivery of programs and services to build, maintain and sustain an ethical and corruption resistant culture, supported by appropriate, defensible and ethical decision making at all levels of the organisation. Accordingly, the ESU forms part of the remit of the Office of the Chief Inspector and comprises of a director, ethics consultants and administrative staff. A recent open and meritorious selection process has resulted in the appointment of a Director, ESU. The appointee commences with QCS in June 2018. The candidate is a highly credentialed and experienced senior officer, with expertise in the state-wide administration and coordination of ethical standards.

QCS recognises the opportunity at hand to shape and develop a new ESU framework, in accordance with the best practice models promulgated by the CCC and other top tier public safety agencies. To this end, the ESU will be charged with providing advice and investigations of allegations of misconduct, fraud and corruption, but will have a significant focus on ensuring the proactive elements of developing a corruption resistant culture are formed and maintained. The ESU will ensure a proactive approach to support public sector ethics through the promotion of ethical culture and appropriate decision making education and training programs. Where required ESU will also report suspected fraud, corruption, criminal and other matters to appropriate external organisations and is charged with the

management of public interest disclosures in compliance with the *Public Interest Disclosure Act 2010.*

Consequently, the ESU will be responsible for the development and evaluation of ethics policy and procedures to support, build and sustain integrity and accountability, whilst providing unambiguous direction to employees on the correct protocol for reporting unethical matters.

In instances where a fraud and corruption risk assessment has been conducted by ESU, the assessment should:

- actively involve all relevant stakeholders;
- capture all of QCS' at-risk functions;
- establish the vulnerability of business processes and related tasks or activities;
- identify likely current and future internal and external threats;
- review data from the agency's fraud register;
- rate the probable risks appropriately;
- consider appropriate controls to both prevent and detect fraud;
- prioritise the implementation of control treatments accordingly;
- result in a prioritised treatment plan that documents the chosen options and how they will be implemented; and
- ensure adequate communication.

Moving forward QCS will review all risk management systems by September 2018 and establish the level, nature and form of risk exposure, against all activities and functions across QCS.

Chapter 4 Internal controls

An effective control environment is fostered by clearly stated policies and procedures, well-defined responsibilities and accountabilities that ensure the appropriate use of the organisation's assets. QCS has a number of internal controls and oversight mechanisms which will be outlined in detail in this chapter.

4.1 QCS Chief Inspector

The Chief Inspector is a statutory position created under the CS Act which reports directly to the Commissioner, QCS. The Office of the Chief Inspector (OCI) provides scrutiny regarding the fair and humane treatment of prisoners, and the application of standards and operational practices within Queensland correctional centres and Probation and Parole offices. The OCI is responsible for coordinating the Official Visitor Scheme, facilitating healthy prison inspections of correctional centres and conducting individual case reviews. The OCI also undertakes thematic inspections and reviews in correctional centres and Probation and Parole offices and conducts investigations into significant incidents, including escapes, deaths in custody (other than by natural causes), riots or other acts of sustained resistance by prisoners. As part of the investigation, incidents are critically analysed and recommendations made for improvements with a view to reducing the likelihood of the incident occurring again in the future.

Relevant to the future role of the Chief Inspector is the Sofronoff Review which made three key recommendations relating to the establishment of an Independent Inspectorate of Corrective Services and retaining an internal oversight function.

These recommendations were:

- **Recommendation 88** – the Queensland Government should establish an Inspectorate of Correctional Services with the following conditions:
  a) the Governor of Queensland is to appoint an appropriately qualified person to the Office of Chief Inspector;
  b) the Chief Inspector is not subject to the direction by a Minister or Member of Parliament in the performance of the functions in the office;
  c) the Chief Inspector examine all operations of the correctional system in Queensland, including all prisons, probation and parole and other operations;
  d) the Chief Inspector report to Parliament on findings of each review or examination;
  e) the Chief Inspector oversee the Official Visitors programs; and
  f) the Chief inspector work collaboratively with the Office of the Queensland Ombudsman.

- **Recommendation 89** – QCS should retain a function internal to the department to undertake internal review and investigations as required by the Commissioner, but this must be in addition to and not in derogation of a fully independent inspectorate.

- **Recommendation 90** – the Queensland Government should consider expanding the Inspectorate of Correctional Services to examine the operations of adult corrections, youth detention and police detention in watch-houses.

The Queensland Government supported Recommendations 88 and 89 and supported-in-principle Recommendation 90.

QCS is working with relevant agencies to commence the initial work on the recommended Inspectorate and associated legislative requirements.

4.2 Official Visitors Scheme

Coordinated by the OCI, the Official Visitor Scheme employs Official Visitors who are independent members of the community that visit each correctional centre in the state. Official Visitors provide a regular, easily accessible and independent program of visitation to assist prisoners to manage and resolve their complaints. As community representatives, Official Visitors provide a further mechanism for ensuring that administrative decisions made within corrective services facilities are transparent and accountable. Official Visitors submit a separate report for each investigation, as well as for each safety and maximum security order. Official Visitors are independent of custodial centre management and staff.

The procedure for how Official Visitors investigate prisoner complaints is outlined in the *Official Visitor Manual* (**Attachment 3**).

4.3 Complaints process

QCS recognises the significant benefits that can be derived from complaints received. Changes can be affected as a result of trends and systemic and/or service issues identified through the analysis of complaints. How a complaint is assessed and acted on is central to good complaints management. Other benefits include:

- increased complainant confidence;
- increased staff confidence;
- increased Agency accountability;
- opportunity to improve quality of customer service; and
- opportunity to save money.

In accordance with the *Public Service Act 2008*, QCS currently uses Resolve as its complaints management system (CMS). Each correctional centre, probation and parole location and central office business unit are required to identify, record and assess complaints through Resolve. The Office of the Queensland Ombudsman regularly reviews, and has access to, complaints data in the Resolve system.

QCS currently manages complaints in accordance with DJAG's Client Complaint Management Policy (**Attachment 4**). The Policy outlines the steps to manage complaints consistently, fairly, reasonably and on time.

'Client complaints' are complaints received from prisoners and offenders, their families and friends, non-government service providers, stakeholders, other visitors to correctional centres or members of the public who may have had contact with QCS. It also includes complaints received anonymously and those received via Ministerial correspondence, or referrals from other Ministerial offices.

For prisoners in custody, complaints can be made in a variety of ways, including:

- in person to their unit officer or through the "shopfront" process which is an electronic system for recording and tracking prisoner requests in some centres or register hard copy with designated times for staff follow up;
- through writing to the General Manager of the facility (known as a 'blue letter' due to a blue envelope being used);
- writing to QCS through external mail;
- via the prisoner telephone system, which provides a free call to stakeholders including the Office of the Queensland Ombudsman, Prisoners Legal Service, and the Crime and Corruption Commission; and

- through Official Visitors which can be in-person, telephone and written correspondence.

Recently discharged prisoners, offenders subject to community supervision, members of the public, legal representatives and other stakeholders can also make a complaint in writing, via email or online via a portal currently accessible through the DJAG's website (compliments and complaints section). QCS also has a complaint form, which can be used by offenders in the community or in custody, to assist them in formulating a complaint.

Complaints can be made anonymously, with all such complaints investigated in the usual manner.

The management of complaints will vary depending on the nature of the complaint. Complaints made verbally which are actioned or responded to immediately are generally not recorded centrally. However, should QCS identify that the issue may be serious in nature, a decision may be made to formally record the complaint.

Complaints received in person and not immediately addressed, via blue letters, or from telephone, email or written correspondence must be recorded on Resolve and include details of the issue/s raised, method of resolution, and level of substantiation.

QCS does not utilise Resolve to record the following types of complaints:

- complaints alleging official misconduct or corruption by a staff member - these are managed through ESU;
- staff grievances – these are managed by Human Resources;
- complaints where a statutory right of review applies; or
- complaints received by Official Visitors.

It should be noted however that Resolve permits the recording of those complaints about, or by staff, which do not meet the threshold for reporting to either the ESU or Human Resources.

Complaints received by or made directly to the Queensland Ombudsman are either managed directly by that office, or referred back to QCS for action, in accordance with their triage process. If the matter is referred back to QCS, the complaint is recorded on Resolve.

The process of managing a complaint varies from service location to service location. This devolved approach is reflected in the data available for trend analysis on Resolve. Some correctional centres focus on immediate informal resolution at point of service and some locations have a more formalised complaints process, which encourages all complaints to be made in writing. These are recorded and as a result, these locations tend to have a significantly high rate of complaints.

All processes are acceptable within the scope of the current policy, with all locations required to provide QCS with copies of their local business processes and process flows for central oversight.

The following key steps are undertaken in managing a complaint:

- Assess;
- Acknowledge;
- Investigate; and
- Provide outcome advice.

'Client complaints' reported in Resolve are analysed on a quarterly basis with a report provided to the QCS Board of Management. A copy of this report is also provided to the

Office of the Queensland Ombudsman. In addition annual complaints data is reported pursuant to the *Public Sector Act 2008*. In 2016-17 a total of 1,035 complaints were recorded.

Between 2014-15 and 2016-17 the number of complaints has increased by 46%. During the same period the prisoner population increased by 13.5% and the offender population by 21%. Seventy per cent of the complaints are in relation to correctional centres, and generally relate to the impacts of prison overcrowding including accommodation, management of prisoner property, prisoner mail, family visits, and medical/dental treatment. Of those complaints received and finalised during the three year period, on average, 40% of complaints received were either substantiated or partially substantiated.

All relevant staff within QCS receive training in relation to complaints management, which is undertaken by Statewide Operations. The training covers the key elements of:

- the CMS;
- effective complaints assessment requirements;
- any changes or updates to the system or processes;
- policy, procedure, processes; and
- an individual's roles, responsibilities, and authority regarding the effective management of complaints.

In late 2016, the Queensland Ombudsman completed an audit of the QCS CMS. The final report was provided to QCS in December 2016 and examined complaints received during 2015-16. The audit reviewed and evaluated:

- compliance with complaint policy and procedures;
- external communication;
- internal communication and training;
- complaints processes;
- maintenance and improvement of the CMS; and
- external reporting.

It measured QCS' compliance against section 219A of the *Public Sector Act 2008* and AS/NZS 10002:2014 (*Guidelines for complaints management in organizations*).

The Queensland Ombudsman's Office made the following recommendations to further enhance current practices:

1. QCS should review its procedures and other documents referring to the CMS as soon as practicable, with reference to the audit's findings to ensure they are consistent with the legislated requirements for customer complaints processes.
2. QCS should consider reviewing and upgrading the website visibility of the CMS having regard for the audit's findings.
3. QCS should implement strategies to ensure all staff are informed of the CMS including changes, and their roles, responsibilities and authority regarding management of complaints and that all complaints handling staff are regularly trained in policy and procedures and effective complaints management as soon as practicable.
4. QCS should consider the findings of the audit and review its practices to ensure they meet the requirements for complaints processing as per the AS/NZS 10002:2014, section 219A of the *Public Service Act 2008.*
5. QCS should consider the findings of the audit and implement regular maintenance, analysis, monitoring, improvement and review mechanisms and procedures for its CMS consistent with the requirements AS/NZS 10002:2014.

6. QCS should review its external reporting to ensure all complaints received and finalised, and the number of complaints resulting in further action/no further action are reported correctly.

QCS accepted the audit's recommendations and is on track to have them completed by June 2018. The actions underway will be considered in light of any changes to the relevant policies procedures being developed as a result of machinery of government changes.

4.4 Privileged mail system

Privileged mail is mail that is sent to, or by, a person who is prescribed under the *Corrective Services Regulation 2017* and Schedule of Authorised Persons for the Purposes of Privileged Mail (**Attachment 5).** Examples of prescribed persons include the Ombudsman, Anti-Discrimination Commissioner, Health Ombudsman and the CI.

The CS Act provides a prisoner's privileged mail must not be read, other than to establish that it is privileged mail, without the prisoner's consent. This allows a prisoner to communicate in confidence. If the item is marked privileged, and a corrective services officer has suspicions about the mail it can only be opened in the prisoner's presence.

Each corrective services facility must have a register for recording searches of privileged mail. This includes documenting the reasons for the search, and without disclosing the contents of the mail, the results of the search. Corrective Services Officers have the legal authority to seize mail that contains something that may harm the person to whom it is addressed, a prohibited thing or information about the commissioning of an offence other than the one for which the prisoner is incarcerated for.

A prisoner may also write to the General Manager of a correctional facility via the blue envelope system which operates in a similar manner as privileged mail.

4.5 Internal Audit

Internal Audit is a statutory function established to provide independent authoritative and confidential advice to the Commissioner and senior management. The authority for Internal Audit is in the *Financial Accountability Act 2009* and subordinate legislation.

The QCS Internal Audit Unit is in the process of being formally established following machinery of government changes. The Chief Inspector has been delegated oversight and performance responsibility for the QCS Internal Audit Unit and ESU. This is an interim arrangement until a final decision is made by the Commissioner following the structural review of the department. This interim arrangement will ensure a targeted and integrated approach continues to occur for investigations and risk management.

QCS is currently using the DJAG Internal Audit Charter which establishes the purpose, authority and responsibility of the IAU for the conduct of internal audit activities (**Attachment 6**). QCS is in the process of developing a new Internal Audit Charter, which will be completed by September 2018. This Charter will set out the roles, functions, relationships and standards for the Unit.

The QCS Audit and Risk Management Committee, once established, will act as a forum for Internal Audit and will oversees its planning, monitoring and reporting processes. This process forms part of the governance processes that ensures QCS operates effectively, efficiently and economically. The first meeting of the Audit and Risk Management Committee is planned for late June 2018.

Section 31 of the *Financial and Performance Management Standard 2009* requires the Head of Internal Audit to prepare a Strategic Internal Audit Plan and an Annual Internal Audit Plan. Prior to the machinery of government changes, the DJAG Internal Audit Unit was responsible for developing the annual plan. Whilst under DJAG, the following internal audit reviews pertaining to the operations of Correctional Centres were completed/in progress since 2013/14:

- Custodial Review of Southern Queensland Correctional Centre – Audit Report No. 13-2013-14. This review incorporated the assessment of SQCC governance, controls over performance reporting and QCS management oversight of the Centre.
- Travel Management System - Audit Report No. 26-2014-15. This whole-of-department (WoD) review examined operations in relation to the use of travel management systems and included testing of practices utilised at the Brisbane and Wolston Correctional Centres in addition to the Cairns and Rockhampton Probation and Parole Offices.
- Maryborough Correctional Centre - Audit Report No. 24-2014-15 was approved by the Director-General on 17/12/2015. This review focused on operational and financial controls within the Centre including: corporate and local risk management processes; monitoring and self-assessment controls; local reporting practices and alignment to departmental governance; financial and operational controls and security controls for IOMS.
- IOMS – Audit Report No. 01-2016-17. This review comprised a number of QCS business units, including Operational Support Services, Specialist Operations and Statewide Operations.
- Verifying Employee Identity and Credentials - Audit Report No. 09-2016-17. This WoD review examined activities pertaining to the Brisbane Correctional Centre, Southport Probation and Parole and QCS' Intelligence and Investigations Branch.
- CCTV Equipment and Data - Project No. 01-2016-17 (finalisation in progress). This review encompassed testing at the Brisbane Women's and Southern Queensland Correctional Centres, in addition to the Brisbane Central and Ipswich Probation and Parole Offices.
- Assurance Framework - Project No. 02-2017-18 (finalisation in progress). This review has examined the application of QCS's Assurance Framework with regards the operations of Correctional Centres and Probation and Parole Offices.

Through the development of a forward Strategic and Annual Internal Audit Plan for the QCS IAU which will commence on 1 July 2018, the operations of correctional centres will be identified as a high priority. The development of this plan will involve:

- facilitation of meetings with the Commissioner, Deputy Commissioner and Executive Directors/General Managers to ascertain activities/functions where exposure to risk is high, based on operational and financial exposures, potential loss and risk, major changes in operations, opportunities to achieve operating benefits, and the amount of time since the last audit;
- research to identify core areas of current risk priority; organisational compliance with legislative and departmental policy and framework requirements; and major findings arising from prior internal reviews and external reviews from agencies such as the Queensland Audit Office (QAO);
- the results of external reviews such as Taskforce Flaxton; and discussions with the QAO to avoid any duplication of audit focus

4.6 Ethical Standards

As part of the machinery of government changes, some staff from ESU moved across from DJAG to QCS. As outlined in Chapter 3, the ESU was recently established as one arm of the Chief Inspector's responsibilities and is involved in the development and delivery of programs and services to maintain ethical culture and decision making throughout QCS. Specifically, the ESU is responsible for:

- promoting ethics awareness and ethical decision making through the provision of advice, training and workplace support strategies;
- assessment of conflict of interests and other employment applications;
- referrals to external stakeholders for further investigation and action, including the CCC and the Queensland Police Service (QPS) via the Corrective Services Investigation Unit (CSIU);
- investigating allegations of misconduct and corrupt conduct; and
- completion of reports to decision makers involving serious workplace misconduct.

Moving forward

It is important that QCS is able to make decisions about the management of the correctional system based on robust information and analysis. This allows QCS to better understand its current position, plan for the future and ensure appropriate allocation of resources and supports. The ESU function is a core component of this process.

A number of reviews and reports have highlighted the need for QCS' technology systems to better manage information, including the Sofronoff Review, the QAO's Criminal Justice System – Data reliability and integration report, and KPMG's Report of ICT services across DJAG.

An opportunity has been identified to enhance ESU's ability to analyse robust and reliable data to identify trends and patterns. This will enable ESU to effectively identify risks at an early stage and implement preventive strategies. It will also support more effective and evidence-based decision making and internal oversight, resulting in enhanced integrity and improved performance of the correctional system.

As noted earlier in the submission, previously the Ethical Standards function was focused to reactive investigations, advising on ethical dilemmas, conflicts of interests and providing general advice on ethical issues.

With a clear remit to build, drive and maintain a mature, corruption resistant culture within the department, the ESU has identified a number of initiatives and opportunities to set apart the QCS approach to enhance the capability of the organisation by addressing the unique needs of the service, while ensuring consistency with the best practice approaches identified by the CCC. These opportunities include:

- development of corruption prevention promotional material such as posters and screen savers which will be deployed across all areas of QCS;
- prisoners receiving regular written communication from ESU outlining their rights and responsibilities and information on the complaints and referrals process;
- staff receiving regular written communication from ESU which will provide advice regarding ethical decision making, corruption prevention and support processes available;
- ongoing information and awareness sessions, at each correctional centre, involving ESU staff conducting discussion/focus groups on corruption prevention and the provision of ID Card sized reference cards outlining tips for ethical decision making;

- Implementation of formal case management/complaints management model including electronic system/database and triaging practices that also allows for reporting/tracking data/issues/trends/emerging risks;
- regular reporting of patterns, trends, emerging risks to the Commissioner and key stakeholders;
- introduction of a corruption prevention advice hotline;
- facilitating professional development of senior leaders best practice approaches for corruption prevention and risk intelligence;
- initiating professional development for ESU staff in corruption prevention and risk intelligence;
- establishment of proactive partnerships within the various operational areas of the agency;
- establishment of an organisational anti-corruption committee;
- establishment of the Risk Intelligence Cell, a unit within ESU focused on gathering, analysing and reporting on intelligence data and trends, in relation to corruption related risks within the agency.
- partnering with relevant research stakeholders to undertake relevant research, experiments and evaluations that results in systematising and embedding research outcomes into ESU practices;
- further investment in effective technologies and systems that assist in corruption prevention and monitoring;
- expansion of risk intelligence functions to incorporate more sophisticated and proactive vetting and probity techniques and strategies into recruitment, selection, promotion and honours and awards functions;
- introduction of frontline 'Professional Practice Managers' to assist with ensuring a professional workforce operating with high integrity;
- a review of the existing support available for witnesses and disclosures to identify areas for improvement; and
- integrated accountability oversight services within the organisational design.

These initiatives will be considered in line with the development of the forward plan which will be completed by September 2018, however like other substantial organisational changes of this type, are contingent on the availability of funding and resources to support the changes.

4.7 Information Communication Technology

Under the *Financial and Performance Management Standard 2009,* QCS must implement and maintain internal Information Communication Technology (ICT) controls that comply with the mandatory requirements set out in the Queensland Government Information Standard 18: Information Security (IS18). Controls to ensure compliance with this Standard are detailed in the DJAG Information Security Plan (**Attachment 7).** Some of these controls include:

- Information Security Framework – The Information Security Manager is responsible for identifying and documenting security processes, providing advice and expertise, and assigning the required functions and duties necessary to effectively implement IS18 Standards;
- Integrated Offender Management System (IOMS) – IOMS is the key electronic information management system for QCS that is used by over 80% of employees on a daily basis. Security controls and restrictions are embedded in IOMS which aim to

prevent staff from accessing and editing information not relevant to their role/function. Security controls are also included to warn staff from inappropriate access to information, such as a warning notice that accessing the offender file will trigger an alert to the Deputy Commissioner.

- Security of Third Party Access – The Information Security Manager must ensure that information security measures of third parties, contractors and consultants accessing departmental information and systems meets IS18 Standard requirements; and
- Conducting information security threat and vulnerability assessments – Identifying all security threats and vulnerabilities to information across the Department at least annually.

Offender Information Systems (OIS) within QCS is primarily responsible for the support, enhancements and maintenance of information applications that support the management of prisoners and offenders, for example IOMS and the Prisoner Trust Account System. This group is also responsible for the integrations both internally and externally, for the record keeping function and supporting the information technology for prisoners and offenders.

Following the machinery of government, OIS will need to expand to accommodate all ICT functions inherent in an enterprise the size of QCS. It is anticipated this will not be finalised until 2019. To ensure continuity of the ICT function for QCS, an ICT Transition Agreement providing for ongoing service delivery from DJAG Information Technology Services has been negotiated. It is anticipated that this agreement will be in place for at least 6 to 12 months.

Under this agreement, a total of 29 Full Time Equivalent staff will transition from DJAG to OIS.

Identified Issues

Human Resources

A high level ICT functional gap analysis has identified that there are capacity and capability gaps in developing a fully functional ICT service and transitioning from the current model, which is predominantly 'owner operator', to an 'ICT as a service' model.

There is no known baseline for ratio of ICT staff to department size, as there are many variables that need to be taken into account in devising the optimum ICT staff group size for a 24/7 operational department such as QCS.

In 2016 DJAG engaged KPMG to undertake a review of its ICT function. During that consultancy a jurisdictional comparison was undertaken (**Table 1**). This table shows that DJAG had the lowest ICT cost per employee compared with equivalent departments in Victoria and New South Wales.

Table 1 – Jurisdictional Scan of ICT capability

Agency	ICT and IM FTE	Total FTE	ICT and IM FTE %	Organisation Budget FY15-16	Organisation ICT Budget FY15-16	ICT Budget as a % of Organisational Budget	ICT Cost per Employee
Department of Justice and Regulation (Victoria)	200	6000	3.3	$91M	$9M	1.1	$15,167
NSW Justice portfolio (including Police)	N/A	11,400	N/A	$5,800M	$313M	5.4	$27,456
Information Technology Partnership (Queensland)	200	7400	2.7	$3,031M	$100M	3.3	$13, 513
DJAG	200	9000	2.2	$1,873M	$68M	3.63	$7549

The Minimum Obligatory Human Resource Information (MOHRI) figures provide a high level profile of Queensland Government employees and the number of those engaged in Information Technology (IT) and Information Management (IM) functions. As at September 2017, there were 217,000 employees in the Queensland Government, of which 5,984 (2.75%) were engaged in delivering ICT and IM functions.

Following the finalisation of the machinery of government changes, there will be a total of 74 ICT staff, with 11 staff placed in Record Keeping and four supporting Offender IT solutions. This staff group is expected, at this time to not only support QCS but also staff engaged by private prison operators, Official Visitors, Parole Board Queensland and staff of non-government service providers engaged to provide services to prisoner and offenders. There are approximately 6,987 active network user accounts on the QCS network. This means QCS' ratio of ICT staff to total staff will be 1.06% compared to the Queensland Government ratio of 2.75%.

Technical

Deployed in 2005, IOMS is the source of truth for offender data and relied on to ensure accurate movements in and out of custody, to record incident and contravention action and to monitor compliance including appropriate supervision, substance testing, curfew checks and attendance at interventions. IOMS is also the central integration component supporting both internal initiatives and information exchange with other Queensland justice agencies.

IOMS is becoming outdated due to its reliance on technology that is neither mobile nor cloud ready and has limitations in its functionality, specifically around workflow, scheduling and document management. Due to the aged architecture of IOMS, it cannot be readily upgraded and portal functionality to more easily provide information does not exist within the system.

The inability to change core Offender Management Systems constrains QCS' ability to evolve its services to meet changing needs, leading to increasing reliance on manual intensive

processes to meet the demands of changing government priorities. This lack of flexibility to adapt processes in IOMS to reflect operational practice is further exacerbating the pressure on staff to maintain appropriate service delivery in a complex environment of increasing demand.

The IOMS Security Model relies on a custom developed approach that does not support the flexibility the business environment requires, especially with staff regularly moving between locations. This can lead to authorisation compliance issues and 'permission creep', where users may retain permissions for roles and locations after they have moved. This can make the control of sensitive IOMS data difficult.

QCS has issued a statement of works for an independent "Health Check" of IOMS due to several recent issues. The Health Check will focus on an architectural and application evaluation of IOMS against contemporary software development techniques and established based practices. This is to identify any underpinning risks in the application, infrastructure and server components so that remediation strategies can be implemented to ensure continued operations until Digital Offender Management Environment (DOME), a replacement system, can be implemented.

The benefits of implementing DOME include:

- improved service delivery - DOME will provide staff with up to date, accurate information to improve the management of prisoners and offenders and the risk they present to the community. DOME will also assist staff to provide prisoners and offenders with quality, timely, individualised and evidence-based programs and services;
- improved public confidence in criminal justice - DOME will embed business rule improvements in sentence administration to reduce unlawful detention and early release errors, establish security frameworks to reduce the risk of information breaches with a better security model, and enable victims to be empowered by providing direct access to required information;
- more efficient offender management operation - DOME will provide QCS and Parole Board Queensland with a suite of tools to enhance the decision making processes for managing offenders in the community. This will improve the scheduling of services to meet parole eligibility dates, provide more timely parole decisions, and reduce manual workarounds;
- enable wider benefits in the delivery of corrective services – DOME will facilitate infrastructure repurposing through better mobility of staff, enable evaluation of outcomes-based private management contracts and improved capability of generating business insights to inform efficient work practices. In addition it will enable the efficient sharing of information (that is accurate and complete) between agencies which will in turn lead to better decision making by both government and criminal justice agencies that use this information.

Specifically, in relation to the risk of corruption, DOME will:

- implement a new security layer to enable configuration of granular access control which will align to QCS' staff role/function requirements for system/data access. This will improve security management access to user's relevant role/level within the organisation, will limit security breaches, will enable improved audit tracking of system/data access to inform investigation and avoid the costs of security-breach investigations;

- improve the core IOMS solution, particularly related to forms and case management, which will allow for better data input and validation and greater reporting and tracking of incidents;
- implement an enterprise content management system which will provide secure storage of sensitive information, such as psychological reports, and enable restrictions on access to offender-related documents through security controls and an audit trail of access;
- deliver secure content, such as briefs and legal documents, direct to prisoners from their legal representatives which will limit the need or availability of QCS staff to access this information; and
- introduce improved analytics capability, drawing data from across the environment to conduct predictive analysis.

General Infrastructure Condition

With regard to ICT physical resources there is a need to refresh equipment that is becoming outdated. A large portion of the server environment is now six years old. Whilst additional warranty has been purchased, the equipment has not been replaced at the end of its life and as time passes the potential for failure will increase. Desktops and other user devices have been maintained within their lifecycle through asset replacement programs.

e-Learning

QCS currently uses DJAG's "Evolve" as the learning management system for all online training including mandatory and optional training around induction, workplace health and safety, code of conduct, etc. As a result of the machinery of government changes the suitability of Evolve as a learning management system for QCS will be considered including potential solution options for its replacement.

Moving forward

QCS notes that to ensure effective ICT capability into the future, an ICT strategy will need to be developed, which aligns with the 'ICT as a service' model as outlined in the whole-of-government ICT strategy.

4.8 Separation of duties

Organisations need to have clearly documented delegations and approval processes that are monitored to ensure accountability. QCS has several instruments of delegation and limitation, including:

- Instrument of delegation of Minister's Powers (**Attachment 8**);
- Instrument of delegation of Chief Executive Powers (**Attachment 9**);
- Instrument of limitation of Corrective Services Officers' Powers (**Attachment 10**);
- Human Resources Instrument of Delegations (**Attachment 11**); and
- Financial Instrument of Delegations (**Attachment 12).**

The accountable officer of QCS is the Commissioner who is responsible for approving or delegating the power to approve against all of the instruments with the exception of the Instrument of Delegation of Minister's Powers. Under the instrument of delegations and limitations:

- delegations cannot be further sub-delegated without approval and/or oversight from the QCS Commissioner;

- delegates must consider all applicable legislation and statutes as well as policies and practices affecting a particular practice before deciding to exercise a delegation;
- delegates will not exercise a delegated authority where a conflict of interests arises or a personal benefit to the delegate may be seen to be derived, whether directly or indirectly, from such approval; and
- in relation to financial delegations, delegates cannot disaggregate or split purchase orders or contracts in order to ensure expenditure is within their delegation. Where officers are delegated both expenditure approval and procurement authority, they cannot apply both authorities to the same payment except in relation to corporate card transactions.

Following machinery of government changes, all instruments are under review to ensure the level of delegation is appropriate, compliance with legislation and alignment with the new governance structures once approved by the Commissioner.

4.9 Human Resources

Workforce Planning and Recruitment

QCS uses a workforce planning process to manage custodial correctional officer (CCO) staffing levels across the state. The workforce planning process used by QCS aims to ensure that appropriate custodial staffing is achieved and maintained. The workforce plan is reviewed monthly, and details recruitment requirements for the coming 12 months. The workforce plan takes into account custodial staffing changes, including:

- natural attrition;
- additional staff (as required); and
- long-term absences from the custodial roster.

The rolling plan allows QCS to commence a training program every month. Monthly training programs allow a high level of responsiveness to any changed staffing needs and supports planning for advertising and attraction.

The Manpower Group is contracted to facilitate base grade recruitment of CCOs. As part of the recruitment process, potential applications must undergo a cognitive assessment, video interview and a half day assessment that includes individual and group exercises designed to demonstrate the skills attributes and behaviours specifically related to the role. Following this process, applications need to pass an integrity test, including a police criminal history check, a fitness assessment and a pre-employment medical. Criminal history checks conducted under section 334 of the CS Act examine all convictions and charges, including spent convictions under the *Criminal Law (Rehabilitation of Offenders) Act 1986*.

As outlined in Chapter 1, Queensland's prison population has grown significantly in the past five years. This has resulted in an increase in the number of CCOs recruited. In 2017, 458 CCOs commenced the entry level training, which is a 188% increase compared to 2012 (159).

As noted in Taskforce Flaxton's Issues Paper and the Victorian Independent Broad-Based Anti-Corruption Commission's Report on the Corruption risks associated with the corrections sector, large scale recruitment of CCOs can present challenges including:

- attracting a high volume of suitable applicants can be difficult in a competitive market;
- recruiting staff for regional prisons can pose challenges with the increased likelihood of conflict of interests issues;

- ongoing influx of inexperienced officers can impact on the stability of the workforce; and
- recruiting large numbers of employees can put pressure on vetting processes, making it more difficult to identify corruption vulnerabilities such as conflict of interests, problematic past behaviour and decisions around prior criminal history and disciplinary checks.

QCS notes there is an opportunity to review existing the process used for the recruitment of new staff to ensure that pre-employment integrity screening processes are robust and fit-for-purpose.

Training

When employees and management understand the issues, have received appropriate training and are kept up-to-date on emerging risks, they are better equipped to maintain high standards of integrity and to identify warning signs in others' behaviour.

QCS requires that new CCOs complete the Custodial Officer Entry Program (COEP). The COEP is a 10 week full time course, consisting of an eight week off-the-job and a two week on-the-job component. The COEP is designed to provide staff with sufficient knowledge and skills, to confidently conduct their duties in a safe manner at a base grade level with support whilst undertaking competency assessments for the Certificate III in Correctional Practices (Custodial).

The COEP is conducted at:

- QCS Academy; and
- Regional locations including Lotus Glen, Townsville and Capricornia Correctional Centres.

At the completion of the COEP, participants have approximately ten months on-the-job to expand on the skills and knowledge taught, demonstrate competence and complete the Certificate III in Correctional Practice (Custodial). By the end of their first 12 months, all CCOs are required to have attained their Certificate III in Correctional Practice.

In addition, all CCOs are required to maintain their training in a number of areas designated as correctional practice competency assessments including control and restraint, Aboriginal and Torres Strait Islander cultural awareness, chemical agents, emergency response training, firearms, first aid and suicide prevention/awareness.

Pursuant to recommendation 67 of the Sofronoff Review, a review into the probation and parole training model was undertaken. The Review recommended QCS should provide refresher training for staff, both as a mechanism for addressing slippages in the performance of professional practice and as a tool for communicating new information and nurturing professional skillsets.

The Report notes that refresher training provides an opportunity to reinforce the knowledge base and skills that staff should exhibit. This training will help to combat against the development of inappropriate localised or individual practices, and provide a forum for the agency to reiterate its expectations.

QCS notes the benefits in applying the findings of the review into the probation and parole staff training program more broadly across the department, including to the custodial training program. There is also scope to deliver more effective training on workplace integrity, bullying and other courses designed to improve the workforce culture and limit risks associated with potential corrupt conduct.

4.10 Governance and Assurance Units

QCS has two key governance and assurance units, the Governance, Compliance and Risk Unit in Statewide Operations and the Operational Assurance Unit in Specialist Operations.

The Governance, Compliance and Risk Unit is responsible for:

- oversighting the Statewide Operations Assurance Framework;
- business continuity management;
- corporate risk register;
- thematic reviews, facilitating Internal Management Review Committees; and
- business intelligence analysis.

The Statewide Operations' Assurance Framework which underpins Custodial and Probation and Parole operations (**Attachment 13**) aims to:

- lessen prescription and compliance focused requirements;
- clarify risks and establish a proportionate (risk based) approach to assurance; and
- increase professional discretion and accountability at the local level.

The Framework aims to achieve this by implementing the Three Lines of Defence Assurance Model and by applying the Continuous Improvement Cycle (Plan, Do, Check, Act) to everyday operations.

The Operational Assurance Unit in Specialist Operations is responsible for oversighting and maintaining the Specialist Operations' Operational Assurance Framework which was designed to keep staff focused on performance and outcomes (**Attachment 14**). The Framework is founded on key requirements of good governance: performance, accountability and right sized and fit for purpose.

The Framework supports clear responsibilities, transparency and accountability in decision making and is divided into four elements:

- Legislation, Standards, Delegations, Procedures and Guidelines;
- Planning;
- Risk Management (including business continuity management and risk registers); and
- Performance Monitoring, Review and Evaluation.

The Framework integrates legislative, corporate and operational requirements and assists in the identification and management of risks, aids in continuous improvement and aims to ensure QCS is responsive to the needs of the community.

4.11 Closed Circuit Television

Closed circuit television (CCTV) is one component of the Security Management System installed at a correctional facility. Electronic security equipment and systems assist in maintaining the good order and security of a corrective services facility.

QCS determines locations for CCTV by operational need to deliver alarm response, movement control and observations. Conventionally, these needs are reviewed against the most recent facility built, incorporating improvements as necessary. The positioning of cameras, field of view selection and locations with CCTV coverage are aligned to operational needs to deliver situational awareness, to areas that historically have a high number of incidents or areas identified by regular operational reviews and investigations.

The cameras in QCS correctional centres are primarily for movement control where the field of view is focused on specific doors and/or gates. In some cases, cameras are placed in

locations that historically have a high occurrence of incidents such as day rooms and visit areas. Cameras are also placed in control rooms and most officer stations including the armoury.

CCTV footage is digital. It is current policy that all CCTV footage is retained for a minimum of 30 days. If an incident requires further investigation footage can be extracted and held indefinitely for further analysis. Recordings are not available from all of the individual cameras in all of the centres. In the more modern QCS centres, all cameras are background recorded at lower frame rates and increased to a higher frame rate on request either automatically such as in the case of perimeter alarms or manually by operators, depending on the location and situation.

All staff are responsible for ensuring that electronic security equipment is not interfered with by unauthorised persons. Where evidence of interference is observed, or interference is suspected, it must be reported immediately.

The operational policy for the use of CCTV is outlined in a number of COPDs- Facility Security, Perimeter Security and Audio and Visual Recording – Storage and Disposal Requirements. This reflects the use of CCTV as a security measure to ensure a safe and secure environment.

4.12 Body Worn Cameras

Body worn cameras (BWC) supplement the use of CCTV technology in correctional centres by enabling QCS staff to record incidents in high definition video and audio. They are also useful tools in deterring poor behaviour by prisoners, as an anti-corruption measure, reducing incidents such as staff assaults, collecting evidence for use in prosecutions and investigations, reducing the number of frivolous and vexatious complaints against QCS staff, and for training and development purposes.

In June 2017, QCS rolled out 110 Axon Body 2 BWCs in the publicly operated correctional centres. These 110 cameras were in addition to the 43 BWCs rolled out as part of an extended trial at a number of correctional centres. The outcome of the trial was that BWCs were easy to use and proved to be effective in deterring adverse or poor behaviour by prisoners. In December 2017, the QCS Commissioner approved implementation of an additional 40 Axon Body 2 BWCs for QCS. This was based on replacing all remaining 33 alternatively branded cameras, which had been involved in the trial, with the additional seven cameras being deployed across QCS facilities on an as-needs basis.

The Axon Body 2 BWC is the same model used by the QPS. These cameras provide the ability to record video in low light situations with enhanced audio features. The batteries of these devices have the capacity to record for more than 12 hours, allowing staff to use these devices during their entire shift without the need for recharging. When the BWC is placed in a docking station it recharges the device and automatically uploads recordings that have occurred during a shift to the evidence management system.

The evidence management system, which is the same provider as the QPS, is a cloud based solution with digitally encrypted storage located in Australia. The evidence management system allows for the secure storage of recordings and the disposal of recordings in accordance with the General Disposal and Retention Schedule. Only authorised staff have access to the evidence management system, with the system maintaining a history of the recording, including who has viewed the recording, and whether it has been downloaded or shared within the system.

Prisoners are aware that BWCs record interactions with prisoners. Anecdotal evidence in Queensland and New Zealand suggests BWCs have a deterrent effect on adverse or poor behaviour, and provide another tool for staff to improve their safety in this environment.

The Deputy Commissioner Instruction Body Worn Camera – Deployment and Use provides the operational policy and procedure for the use of BWCs in custodial facilities (**Attachment 15**). It outlines the legal requirements for the recording, collection and storage of electronic data and images, including ensuring staff, contractors, prisoners and members of the public are aware that they may be recorded by a BWC. It also outlines the times when it is required for an officer to set the BWC to record, such as during a planned intervention or when force is used. If the officer is going to stop the recording, the officer is required to clearly state that the recording will be stopped and the reason for doing so.

When officers make a recording on a BWC in response to an incident that is recorded on IOMS, the use of the BWS must be noted in the officer's report of the incident and on IOMS. Officers are also required to complete reports if there is a recording on the BWC that should be retained.

Current practice is that BWCs are activated by staff during an incident where there is a need to make a recording. There is a pre-event buffer which allows the cameras to capture a period of time (currently 30 seconds) before the device is activated. Sound is not recorded during the pre-event buffer. Officer activation of the recording feature enables staff to record incidents, and the discretion to not record in places where a reasonable expectation of privacy exists, for example in health centres, clinics and hospitals or when a removal of clothing search is being conducted. They are also not to be used to record staff conversations. BWC footage is reviewed on a daily basis.

Some concerns were raised by staff during the trial due to the poor battery life and no load bearing vests being available. QCS is currently implementing load bearing vests as an adjunct to the BWCs, and the Axon Body 2 BWCs have a longer battery life than the models used in the trail.

Moving forward

BWCs allow QCS to review incidents from a different perspective and in much greater detail than has been done before. This is a significant benefit in operational briefs and identifying opportunities to enhance operations. As QCS rolls out additional cameras to meet operational demand, practices and procedures will be reviewed to determine whether further enhancements are required.

4.13 QCS Intelligence and Investigations

The CSIU, which is staffed by sworn QPS offices, currently provides a state-wide investigative response to crime within correctional facilities and aims to target and combat the introduction of drugs into correctional facilities. The CSIU also coordinates police investigations in locating prisoner escapes and parole absconders. The operations of CSIU are established under a Memorandum of Understanding (MoU) between QCS and the QPS. A new MoU is currently under development.

The Queensland Corrective Services Intelligence Group (QCSIG) is responsible for the department's central intelligence function. QCSIG provides quarterly reports identifying trends and patterns across areas such as drugs and contraband, assaults and violence and staff issues.

4.14 Contract screening and Management

QCS conducts due diligence checks prior to awarding contracts, which include ABN checks, ASIC checks of directors, external financial assessments, insurances, and bank guarantees or securities. Financial reporting and annual audited financial reports are also requested during the contract period. Criminal history checks are required for individuals working in QCS facilities. A combination of these checks is based upon the value of the engagement and the risk of the goods or services.

Due diligence screening checks in relation to private prisons contracts include reference and finance checks which are carried out through the tender phase. Due diligence and probity reports are also commissioned on the engaged contractors on a quarterly basis following the awarding of the contract.

QCS uses the Queensland Government Standard Terms and Conditions which have requirements for the compliance with Government and departmental policies and procedures. Conflict of interests declarations are undertaken at the tender phase and commencement of the arrangement and must be declared and assessed as soon as QCS or the contractor becomes aware of one.

Larger contracts which require systems access include an additional individual deed of confidentially and privacy in addition to the standard provisions within the contract terms and conditions for information security.

4.15 Privately Operated Prisons

QCS is responsible for managing the State's contracts with the private operators including setting performance expectations and assessing and managing the private operators' performance.

Contract oversight includes daily contact and interaction via onsite monitors that considers adherence of the private provider to its obligations under the contract. The private provider is required to carry out centre functions in accordance with the terms of the contract and associated standards, which include observance of legislative requirements, and mandated QCS practice directives, policies and procedures.

Each quarter a contract performance meeting is held, with the private provider tabling a performance report and summation of quarterly activities. This meeting is chaired by the QCS Commissioner and includes relevant representatives from both parties.

The contracts include performance bonus fees which are paid at the end of each contract year, depending on the performance against Key Performance Indicators (KPIs). There are four security related KPIs where QCS deducts a corresponding amount from the operator's eligible performance bonus, if the operator registers an incident against the KPI.

There are currently tender processes underway and planned for the future management of Arthur Gorrie and Southern Queensland Correctional Centres respectively, which will use new outcome-based contracts as recommended by the QAO in its review into privately managed prisons in Queensland.

4.16 Legislative powers relating to staff searches and drug testing

Under section 173 of the CS Act, a staff member may be required to submit to a general search or scanning search before entering a corrective services facility. There is no equivalent provision for searching staff members exiting or whilst in a corrective services facility. Section 175 of the CS Act states that the chief executive may search a vehicle before it enters

a corrective services facility; however there is no equivalent provision for searching vehicles exiting or whilst in a corrective services facility. Under section 174 of the CS Act, there is a general provision which allows the chief executive to conduct a search of a corrective services facility other than prisoner facilities.

Section 136 of the CS Act gives a corrective services officer the power to detain, search a person or anything in a person's possession, if the corrective services officer finds a person committing a security offence or reasonably suspects the person has just committed a security offence. A 'security offence' under section 136(5) of the CS Act means an offence that poses a risk to the security or good order of a corrective services facility or the security of a prisoner. This provision could be utilised to search a staff member who is reasonably suspected to possess a prohibited item which poses a risk to the security or good order of a corrective services facility but does not give a general power to conduct searches on staff.

The COPD on Searches outlines the requirements for undertaking searches on staff **(Attachment 16).** Current practice requires that each correctional centre must conduct an entry search on all staff entering the centre once every three months. The search must be random, confidential and involve a search of the bag and pockets. The searches are conducted by the management and intelligence teams.

A jurisdictional scan indicates other States including New South Wales, Victoria and South Australia appear to have broader powers in respect of searching persons generally in corrective services facilities[4].

There is no power under the CS Act to direct corrective services officers to undergo drug tests and therefore randomised testing of staff does not occur.

The ability to conduct random drug tests on corrective services officers is varied across other jurisdictions. In Western Australia, the *Prisons (Prison Officers Drug and Alcohol Testing) Regulation 2016* specially deals with the drug testing of prison staff. In New South Wales staff can be tested for alcohol, prohibited drugs and steroids under their legislation[5]. In the Northern Territory, the general manager of a correctional facility may direct a person (other than a prisoner) at or entering a facility to submit to a prescribed alcohol/drug test[6]. Other jurisdictions do not have legislative provisions to deal with the drug testing of staff at corrective facilities[7].

---

[4] See NSW - section 253I to 253N of the *Crimes (Administration of Sentences) Act 1999* (NSW); Vic – Part 6 Division 3 of the *Corrections Act 1986* (Vic); SA – see section 85B of the *Correctional services Act 1982* (SA)
[5] See Division 5, Part 11 of the *Crimes (Administration of Sentences) Act 1999* (NSW)
[6] Section 145 of the *Correctional Services Act 2014* (NT)
[7] For example, Victoria and South Australia

Chapter 5 Reporting processes

The reporting of suspected misconduct and maladministration within the Queensland Government is fundamental to its ongoing integrity and health. Organisations should have policies and procedures that encourage and enable people to report fraud and corruption. This may stand alone or form part of a more general reporting policy covering the full range of reporting requirements.

QCS continues to use DJAG's fraud control processes which encompass internal and external authorising legislation, policies, procedures, best-practice models, and work practices.

It is the responsibility of all employees to report suspected fraud and corruption in a timely manner. Reporting suspected fraud and corruption not only allows individual cases to be investigated, but drives the improvement of fraud and corruption risk management practices. QCS employees may report suspected fraud and corruption to their supervisor, a more senior manager, or the Director, ESU. Suspected incidences of fraud and corruption may also be reported directly or through a Public Interest Disclosure (PID) which is a statement disclosing information that is in the public's interest regarding public sector wrongdoing.

When a business area suffers a loss as a result of fraud, this is reported to the Chief Finance Officer who will report to the QAO as required. Business areas with a higher risk of external fraud are required have a local policy and/or procedure to outline the reporting process.

QCS also has a number of avenues available for prisoners to report suspected cases of corruption including the complaints management system, Official Visitors, CI, privileged mail system and the prisoner telephone system. Prisoners may also provide confidential information to correctional centre intelligence staff.

Right to Information and Privacy

Following the machinery of government changes QCS has continued to receive services from DJAG's Right to Information and Privacy Unit which is responsible for administering the Department's obligations under the *Right to Information Act 2009* (RTI Act) and the *Information Privacy Act 2009* (IP Act). This includes making access decisions on applications for documents under both Acts, and applications for amendment of personal information under the IP Act. These staff will transition from DJAG to QCS in late April 2018.

The RTI and IP legislation give broad access to documents of agencies and official documents of ministers, subject to certain restrictions.

Members of the public have the legal right to apply for access to documents held by government agencies and amendment of personal information held by government agencies. The RTI Act also requires agencies such as QCS to issue a publication scheme showing the information the agency routinely makes available and how the information can be accessed.

Reporting behaviour of staff

The complaints process is articulated via Government directives and departmental policies. It is arguable that this information is not easily accessible to QCS staff. This is in part due to machinery of government changes and the need for QCS to develop new policies as a standalone department.

An employee is entitled to make a complaint where they have an honest belief, based on reasonable grounds, that:

- an administrative decision, which the employee is aggrieved by, is unfair and unreasonable;
- the conduct or behaviour of an employee is unfair and unreasonable;
- the conduct or behaviour of an employee constitutes bullying in the workplace, sexual harassment, or vilification based on race, religion or gender identity or sexuality; and
- the conduct or behaviour of an employee is a breach of the Code of Conduct.

Where appropriate, the employee must make genuine and reasonable attempts to resolve the matter informally without the need for a formal employee complaint process.

On 8 July 2016, QCS established the confidential Anti-bullying and Harassment Hotline for staff to report cases of bullying they had witnessed or experienced. A dedicated confidential email was also established for staff to provide written submissions to the Committee. Further information on bullying is provided in **Chapter 10**.

The investigation and reporting of allegations of misconduct and corrupt conduct is the responsibility of ESU. For other types of complaints, most are managed at the local level through:

- early management intervention; and
- application of departmental policies on employee complaints and performance management frameworks.

Local intervention may be supported by Human Resources, the DJAG Dispute Resolution Branch, ESU or external facilitators as determined by the business unit. Disciplinary action may be taken against a person or persons who bullies an employee or client of QCS or who victimises a person who has made or is witness to a complaint.

QCSIG/CSIU

Staff and management may report staff-related intelligence through either IOMS – Information Notes or contacting CSIU and/or ESU directly via phone or email. Examples of staff-related intelligence include:

- information relating to the introduction of contraband by a staff member;
- prisoner complaints made to a staff member in relation to another staff member;
- where a prisoner has requested a staff member undertake an illegal or unauthorised activity; and
- conflict of interests/associations.

Correctional centre intelligence staff are responsible for reviewing Information Notes entered on IOMS and completing IOMS Intelligence Reports as required in relation to staff issues. IOMS Intelligence Reports are also completed when information is received directly from prisoners. These Information Notes and Intelligence Reports are highly restricted documents that can only be accessed by a small number of QCS staff and management.

QCSIG as a matter of process provides joint referral of all staff issues Intelligence Reports to both ESU and CSIU for their review and investigation as required. Relevant senior operational leaders are also advised of relevant IOMS Intelligence Reports relating to staff issues.

As identified in earlier chapters, there is an opportunity to review existing reporting processes and establish a centralised and streamlined reporting mechanism to enhance QCS' ability to quickly and accurately identify trends and patterns.

Chapter 6 Protections and support for disclosers

It is essential that protection is provided for whistleblowers who speak out against corrupt practice, as it helps to reduce employees' fear of retribution. The DJAG Public Interest Disclosure (PID) Policy complies with relevant legislation that underpins the protections and support for disclosures by departmental staff, including the *Work Health and Safety Act 2011*, *Crime and Corruption Act 2001*, *Public Interest Disclosure Act 2010*, *PID Standard No 1*, *Industrial Relations Act 1999*, and, where applicable, the *Workers' Compensation and Rehabilitation Act 2003 (Qld)*.

The DJAG PID Policy includes information on support and protection available for the discloser of a PID and any person against whom a PID is made. This policy also provides advice on what constitutes a PID, an overview of the assessment and investigation process and staff and management responsibilities.

The Director, ESU is responsible for the privacy and confidentiality (as far as possible) of the discloser throughout the appropriate process. The level of support afforded to those making disclosures depends on an assessment of their needs over the course of the matter.

Support and Protection Mechanisms

QCS has an internal review mechanism in place for disclosers who feel they have been disadvantaged or subjected to reprisals. Where QCS makes a decision to not investigate a PID, a discloser may within 28 days request a review of the decision.

If the discloser is not happy with the outcome of QCS' investigation of a PID they may also request further information from the department or contact the Queensland Ombudsman to request a review of the matter. A discloser may also seek independent legal advice or can apply to the Supreme Court for a review of the decision under the *Judicial Review Act 1991 (Qld)*.

Investigation Process

Under the PID Policy, QCS conducts the following assessment and investigation process:

1. The PID is made to the Director, ESU who will make an assessment as to whether it is to be referred to the CCC or another agency for review or investigation or whether the department is able to investigate the matter.
2. The Director, ESU will conduct a risk assessment of the PID to determine the likelihood of confidentiality and risk of reprisal. If required, a plan will be established to monitor and address any problems that may arise.
3. If the matter is required to be investigated by the department, the Director, ESU, will be responsible for the investigation which may be completed by an external investigator.
4. Once the investigation is completed and relevant agencies consulted, disciplinary action will be taken by QCS where necessary.
5. The person making the PID will be informed of progress and the outcome by the Director, ESU. Once the matter is finalised the person making the PID, where necessary, will be advised on any follow up requirements that may be necessary to ensure their wellbeing. Assistance and guidance may be provided by the Human Resources Unit.

As identified in **Chapter 4.6**, the ESU has identified that there is benefit in undertaking a review of the existing support available for witnesses and disclosers to identify areas for improvement.

Chapter 7 External reporting

Queensland's public sector integrity framework includes several independent statutory agencies which have complementary roles, responsibilities and powers to promote good governance, accountability and integrity.

Oversight by external integrity agencies increases the likelihood that fraud and corruption will be dealt with appropriately. Reporting of particular suspicions and instances is a legislated requirement of each jurisdiction relevant to the type of conduct.

DJAG's Fraud and Corruption Control Policy used by QCS covers the reporting obligations of the agency, including identification of a responsible officer, in relation to reporting fraud and corruption matters to external organisations. The Policy requires that all alleged instances of employee fraud or corruption are referred to the Director, ESU.

The Director, ESU manages the investigations into allegations of misconduct and corrupt conduct, and the submission of reports and advice to decision makers involving serious workplace conduct and disciplinary issues.

The Director, ESU also performs the role of the CCC Liaison Officer and the PID Officer. The Director, ESU liaises with the Commissioner, QCS to refer matters to the CCC, which are made in accordance with legislative requirements. The Policy also outlines the reporting obligations to appropriate external bodies that the Department must comply with.

External reporting will be covered in the development of QCS specific Fraud and Corruption Control Policy as well as whether any changes are required to enhance QCS' relationship with the CCC and other relevant external bodies.

Chapter 8 Investigation management processes

Fraud and corruption can come to QCS' attention through mechanisms such as complaints from staff, prisoners and members of the public, intelligence, OCI, Official Visitors Scheme and other agencies or oversight bodies such as the QPS, Queensland Ombudsman and the CCC. QCS has a number of mechanisms for receiving complaints and establishing the appropriate course of action. The response to an incident is relative to the severity and seriousness of the incident and allegations made.

QCS currently uses the DJAG Complaints Management Framework which outlines how complaints about a product, service (or how an officer provided that service), procedure, practice, policy or breach of policy can be submitted. Complaints are managed depending on the type of complaint, as different matters have different management processes.

The complaints management process has been outlined at **Chapter 4.3 Complaints Process**, which includes a description of the different investigation management processes used for the different complaints.

ESU and CSIU may also undertake investigations following staff information or intelligence being provided.

To assist with investigations, QCS may also use BWC's or CCTV footage to confirm the accuracy of the complaints/incident report.

QCS will develop its own complaints management framework, policy and procedures. As part of this process, the investigation management processes will be reviewed to determine whether any changes are required to enhance the effectiveness and efficiency of the process.

Chapter 9 Code of Conduct

Codes of Conduct set clear expectations of how an organisation expects employees to behave and respond to situations and questions. A Code of Conduct also benchmarks what is considered unacceptable behaviour. In Queensland, the *Public Sector Ethics Act 1994* sets the legislative basis for the Code of Conduct.

The Queensland Government's *Code of Conduct for the Queensland Public Service* (Code of Conduct) sets a clear standard of the behaviours expected of public sector employees, strengthening organisational integrity and accountability.

While the Public Service Commission has responsibility for the Code of Conduct, QCS is responsible for ensuring employees are educated and trained in the Code of Conduct at regular intervals during their employment. QCS is also responsible for reporting on employees' participation in Code of Conduct education and training in the annual report.

It is a condition of an employee's contract of employment and a volunteer's engagement with QCS that they adhere to the Code of Conduct. Employees and volunteers are responsible for their actions as well as any failure to take appropriate action when warranted. The Code of Conduct applies to all employees, volunteers, contractors, and anyone who performs work or controls resources on behalf of QCS.

All employees and volunteers are required to read the Code of Conduct in full. This includes completing the Evolve Workplace Ethics Course which assists employees to:

- understand the application of the Code of Conduct;
- understand the ethical principles on which the Code of Conduct is built, and how they apply to staff; and
- gain an understanding of the Ethical Decision Making model of the Queensland Public Service.

QCS currently uses the DJAG Workplace Policy used by QCS which outlines details on the standards of behaviour expected of employees, including the repercussions of not adhering to these standards.

Chapter 10 Organisational cultural change program

An integrated organisational cultural change program aims to ensure a well-informed workforce with a greater capacity to recognise and respond to the risks of fraud and corruption. This will result in an organisation with a strong ethical corporate culture that is appropriately equipped to detect and prevent wrongdoing.

As previously outlined in Chapter 3 of this submission, QCS has previously used DJAG's Ethics Awareness Strategy, delivered by the DJAG ESU which includes:

- face-to-face training for managers in identifying and addressing workplace conduct matters and modelling appropriate behaviour;
- face-to-face training for new recruits in workplace expectations and the Code of Conduct for the Queensland Public Service;
- online annual refresher training;
- tailored training to individual work units where issues have arisen; and
- advice to individual staff on conduct matters.

All custodial correctional officers undergo ethics training during their entry-level training. There are also targeted Workplace Ethics and Tools of the Trade sessions held throughout the year across all correctional centres. The QCS Academy also runs the Leadership Development program that offers sessions on Ethical Decision-making, Cultures of Excellence, Mastering difficult conversations, and Managing workplace conflict.

Enforcing Ethical Standards

In response to operational requirements, QCS conducts a broad range of reviews to improve service delivery and enforce ethical standards. For operational incidents that occur, such as offenders who commit serious offences whilst under supervision or sentence management errors, internal management reviews or post incident inquiries are undertaken.

For major incidents and matters concerning systemic practice, the Chief Inspector undertakes reviews and makes recommendations in accordance with the Healthy Prisons Inspection Framework.

QCS will also refer complaints to the ESU for investigation against the Queensland Code of Conduct, *Anti-Discrimination Act 1991* and *Public Sector Ethics Act 1994*. ESU is required to provide their findings along with recommended disciplinary action where the complaint has been substantiated.

Current gaps and opportunities

As outlined in detail in Chapter 4 of this submission, QCS recognises it has the clear remit to build, drive and maintain a mature, corruption resistant culture within the department. Accordingly, the QCS ESU has proactively identified a number of initiatives and opportunities to set apart the department's approach to enhance the capability of the organisation by addressing the unique needs of the service, while ensuring comity with the best practice approaches identified by the CCC.

Notwithstanding the multitude of opportunities identified in the program of work from the QCS ESU, there are key considerations specific to the development of QCS' organisational culture change program, including:

- training in the detection of potential indicators of corruption, and encouraging staff to recognise the signs;

- developing a strategy that informs staff of when corrupt practices have been identified and the subsequent consequences to ensure staff don't become complacent;
- maintaining a culture of continuous learning; and
- embedding practice that supports regular ethics checks with staff, particularly those new to the organisation, to identify any practices in correctional centres that are inconsistent with practices learned during entry-level training. This would assist with identifying risks and implementing preventative strategies.

10. 1 Bullying within QCS

In December 2015, QCS established an Anti-bullying and Harassment Committee in response to:

- concerns raised by Together Union members;
- responses to the 2015 Employee Opinion Survey; and
- QCS reviewing instances of alleged inappropriate behaviour.

The purpose of the Committee, which included external representation and membership of the Together Union, was to:

- examine staff submissions;
- understand the drivers and circumstances of bullying and harassment and reasons why staff may not report bulling;
- report to the QCS Board of Management regarding strategies to improve education and awareness about reporting bullying and to promote workplaces free of bullying and harassment; and
- recommend enhancements to training provided at the QCS Academy in relation to entry-level and management training.

In August 2016, the Committee undertook a research survey with QCS staff to further examine the issue of bullying in the workplace. A 15 minute online quantitative survey was sent to all QCS employees (4,243), with a total of 1,270 surveys being completed (30% response rate).

The survey highlighted workplace bullying issues within QCS, with three quarters (74%) of employees that responded witnessing or personally experiencing bullying or harassment in their workplace. This includes 67% of employees who have witnessed bullying and 59% who have personally been a victim of it. Of those who have personally experienced bullying, 45% experienced at least one incident in the last six months which indicated that bullying was a current workplace issue.

The Survey also found that the perpetrator was more likely to be someone of higher rank and of the same sex as the victim. Of concern, 62% of victims were bullied by a staff member of higher rank to them, often their own supervisor or manager. Many employees said they have witnessed and/or personally experienced multiple forms of bullying, with verbal harassment the most common. Victims are most likely to have experienced criticism or belittling in front of other staff members (61%), negative comments within earshot of others (53%) and verbal abuse (30%), as well as unreasonable demands on their time or skills (30%) and exclusion from work related information, meetings or functions (30%).

Employees can face barriers when it comes to taking action against bullies, with only half of victims choosing to report it or take action after the incident. This included speaking to the bully (46%), reporting it to senior management within their work location (41%), or reporting it with their supervisor (33%) or the bully's supervisor (27%). However, only 12% of victims

said that after taking action there was a favourable outcome, demonstrating that the current processes are not working effectively.

Of those who did not take any action, the key reasons were due to a lack of faith in the complaint investigation process (51%), a belief that complaining is pointless (49%) and fear of reprisal from management (47%). Two key issues were also raised by employees, namely that there is no anonymous and external forum for reporting complaints, and secondly that there is no third party investigating complaints where it can be done in a thorough and unbiased way.

Overall, employees' attitudes towards workplace bullying at QCS indicated that significant improvement was required:

- more than half of employees that responded agreed that there is a culture of bullying;
- 2 in 5 agreed that QCS has robust policies and systems in place for reporting workplace bullying;
- 3 in 10 agreed that there are severe consequences for bullies;
- one quarter agreed that victims are supported by QCS management; and
- 1 in 10 agreed that all cases of bullying are reported to management.

Bullying has a significant impact on the workplace culture as well as on an individual level, especially for those who have been a victim rather than a witness. Victims of workplace bullying developed resentment towards the perpetrator and lost respect for them (67%), considered leaving their job (58%) or seeking a transfer (45%), worked at less than full capacity or with less enthusiasm (52%), felt unsupported by management (48%) and were less likely to put forward ideas at work (48%). Bullying is also contributing to a workplace culture problem. Individually, victims stated that being bullied impacted their temper/emotional levels (61%), self-confidence (61%), sleep patterns (51%), general health (43%) and family relationships (29%).

Employees believed that more training is needed to improve the knowledge and skills of both staff and management.

- Only one third of employees were confident in management's ability to deal with workplace bullying;
- More than 2 in 5 employees had not received any training about workplace bullying;
- Around half of employees believed it is easy to find information about workplace bullying and that they understood the process of reporting workplace bullying incidents at QCS well.
- There was room to improve in all areas through increased training, information and tools, and making these easy to access and use.

On 19 December 2016, the Anti-Bullying and Harassment Committee Report was presented to the QCS Board of Management. The report made ten recommendations designed to evidence the commitment of QCS to ensuring safe workplaces for its staff. All ten recommendations made by the Committee were endorsed by QCS.

On 13 March 2017, QCS established the Workplace Engagement Unit in response to recommendation 7 of the Anti-Bullying and Harassment Committee Report, and to oversee the implementation of the committee's recommendations.

The WEU provides a central point for QCS staff to report any bullying or harassment they may have witnessed or experienced, and is leading QCS' response to the Committee's recommendations.

QCS staff across the State have been appointed as voluntary Conflict Resolution Officers and Peer Support Officers, to support their colleagues and ensure that workplaces are free of bullying and harassment. To date, 23 staff have been trained as Conflict Resolution Officers, with at least one representative from each correctional centre represented in this intake. The first group of 20 Peer Support Officers received training in July 2017.

The focus on developing a connected and sustainable network of Peer Support Officers and Conflict Resolution Officers is essential to assist staff in carrying this message forward. In addition the commitment to education and training of managers and supervisors to develop assertive communication skills to intervene, support and manage their own behaviours and that of their staff accordingly is essential.

It is intended that early intervention by the WEU, including implementation of the Conflict Resolution and Peer Support Officer networks, will reduce the submission of premature formal actions by empowering employees and providing support to management to accomplish early, local, intervention and resolution.

The Unit is undertaking work to address bullying and harassment in the workplace. The WEU is currently focused on providing supervisors and managers with training and information on how to deal with claims of bullying and harassment. The WEU is preparing materials to assist staff with management responsibilities to better understand the role that they have to play to reduce circumstances of bullying and harassment by appropriately assessing and resolving workplace issues in a timely and fair manner. The WEU has recently delivered training sessions and engagement with staff concerning ethics, culture and ethical decision making. Over 1,900 staff have participated to date in this training.

The WEU was created when QCS was a division of DJAG and is still in a stage of development and growth. The most important area of growth has been the delivering of the message of the positive cultural change agenda towards respectful workplace behaviours to all staff within QCS. The WEU will continue to focus on developing organisational skills at a supervisory and managerial level to effectively deal with bullying and harassment. The future role and functions of the WEU will evolve as part of the development of the new structure of the department.

Chapter 11 Client and community awareness programs

Departmental policies and procedures should generally be available to the public on the basis that government information is a public resource and openness in government enhances accountability.

The correctional system is a varied and complex environment and as such QCS works with a range of organisations from other government agencies and statutory bodies to support the criminal justice system in providing a safer community. QCS consults regularly with the community and key stakeholders to inform policy and deliver services across the correctional system. These stakeholders include: employees and unions; other government and non-government agencies; prisoners and offenders; victims; oversight agencies; Aboriginal and Torres Strait Islander Communities and not-for-profit organisations.

COPDs and Operational Practice Guidelines (OPGs) (which are specific to Probation and Parole operations) provide a framework to direct staff when undertaking their duties. To promote transparency and accountability, the majority of the COPDs and OPGs are publicly available online. There are a small number of COPDs not publicly available to protect the safety and security of staff, prisoners and correctional centres.

Improving staff morale

The work of front line correctional staff is often unacknowledged, particularly when compared to other top tier public safety agencies, including the QPS, Queensland Fire and Emergency Services and the Queensland Ambulance Service. For the past 18 months QCS has dedicated a program of awareness and recognition for staff through the institution of Corrections Day, first celebrated in 2017, which seeks to open QCS up to the public. At its heart, Corrections Day is an opportunity to expose and recognise the work of QCS staff in the often protected environment of its facilities and services and to build community understanding and appreciation of the role QCS staff play to keep the community safe. Front-line correctional staff, and those who support our operations, know the inherent dangers of the environment and the circumstances QCS staff intercede in to prevent serious, and often violent, incidents from occurring.

Moreover, serious incidents reported in the media tend to focus on the more negative aspects of corrections, and may at times be critical of staff. This has a negative impact on staff performance and morale. Recent staff forums have identified that staff feel unappreciated by the broader public and that there is an absence of a public dialogue that is supportive of the effort and risks involved in managing prisoners and offenders. QCS is continuing to extend and build the media profile of the organisation, focusing on the positive outcomes and the many means through which our staff deliver community safety. Important developments in the last 18 months include the constituency and reach of QCS social media, Corrections News, the institution of the inaugural National Corrections Day and the inaugural award of the Australian Corrections Medal. As part of the work on the development of the 10 Year Plan for the department, QCS continues to dedicate effort to build a robust and forward facing media profile and communications strategy for the department as a whole, with a particular focus on the operations of the front-line staff.

Summary

A number of circumstances outlined in this submission make it clear that Taskforce Flaxton has come about at an auspicious time for the department. The appointment of the Commissioner, Mr Peter Martin APM, the creation of QCS as a standalone department, the commencement of a significant program of work to inform a 10 year strategic plan and the impending organisational restructure of the department, provides the right time to critically examine the structures, policies and processes necessary to ensure this new department builds and sustains a best practice corruption resistant culture.

This submission has sought to set out the challenges faced by QCS and offer a comprehensive response and action plan as to how the department can work collaboratively with the CCC to build and maintain a corruption resistant culture. Accordingly, a number of opportunities and initiatives have been identified throughout this submission, which will be a focus for QCS over the coming months. Some are easily achieved through the impetus gained with the establishment of QCS as a department, whilst some will require consideration by government to determine resourcing.

To develop an effective strategy to manage and prevent corruption within the unique correctional environment, QCS will establish a committee comprising of internal and external entities and experts, including an open invitation to the CCC. This committee will inform and provide advice on the strategies and organisational responses required to manage and prevent corruption risks within the correctional environment. Implementation of this strategy will ensure that:

- corruption and corruption risks are properly identified and mitigated;
- all recommendations of the CCC are implemented; and
- QCS achieves the hallmarks of a mature cultural model, which is outlined below.

The strategy will also include a range of KPI's consistent with the strategies identified throughout the submission. The Director, ESU upon commencing will be held accountable for these KPIs.

So far, QCS has identified that the key hallmarks of a mature, corruption resistant culture should include:

- **Corruption resistance** – A corruption prevention culture should be developed where failing to report misconduct is considered a serious matter.
- **Reporting** - The reporting processes should be simple and easy to use by all parties; staff should be encouraged and feel supported to report suspected misconduct and reporting of misconduct should occur consistently across the organisation.
- **Awareness** – all entry level and refresher training should have a focus on integrity and corruption prevention.
- **Feedback and learning** – there should be an ability to undertake robust data analysis to identify trends and any potential systemic failures and use these learnings to guide future prevention and mitigation strategies.
- **Policy** – all policies relating to corruption related risks should be informed by literature, consistent with best practice and support timely resolution of matters and consistent discipline outcomes. All staff should be aware of the policies through ongoing communication and ease of access to the policies.
- **Process** – the process of managing complaints and investigations should occur in a timely and consistent manner and ensure the protection of relevant evidence. The

processes should be regularly reviewed to ensure continuous improvement and sustained good practice.

- **External partnerships and oversight** – QCS should partner with key stakeholders to ensure consistency in practice and messaging with staff and industry partners and provide assistance to and fully cooperate with external oversight bodies such as the CCC.

Further detail of the key hallmarks identified to date is at **Attachment 17**. These hallmarks will be further expanded through the important work of Taskforce Flaxton.

QCS thanks the CCC for the opportunity to provide a submission to assist the work of the Taskforce and its contribution to the development of a mature, sustainable, corruption resistant culture for QCS.

List of Attachments

Attachment 1 – QCS Violence Prevention Strategy

Attachment 2 – DJAG Fraud and Corruption Control Framework

Attachment 3 – Official Visitor Scheme Manual

Attachment 4 – DJAG Client Complaint Management Policy

Attachment 5 - Schedule of Authorised Persons for the Purposes of Privileged Mail

Attachment 6 - DJAG Internal Audit Charter

Attachment 7 - DJAG Information Security Plan

Attachment 8 - Instrument of delegation of Minister's Powers

Attachment 9 - Instrument of delegation of Chief Executive's Powers

Attachment 10 - Instrument of limitation of Corrective Services Officers' Powers

Attachment 11 – Instrument of Human Resource Delegations

Attachment 12 – Instrument of Finance Delegations

Attachment 13 - Statewide Operations Assurance Framework

Attachment 14 - Specialist Operations Operational Assurance Framework

Attachment 15 - Deputy Commissioner Instruction - BWCs

Attachment 16 – COPD – Searches

Attachment 17 - Hallmarks of mature, corruption resistant culture