CCC EXHIBIT

Queensland Government

15 JAN 2018

Office of the
Commissioner

**Queensland
Corrective Services**

File No: F/17/08352
Ref No: 07320-2017

Ms Elaine Pearson
Human Rights Watch
PO Box 4278
SYDNEY NSW 2001

Dear Ms Pearson

Thank you for your letter of 15 December 2017 regarding your request for additional information in relation to prisoners with disabilities in Queensland.

Queensland Corrective Services (QCS) is dedicated to providing safe, secure and humane management of prisoners in correctional centres. QCS is also committed to ensuring equal opportunities for prisoners with disabilities.

As you may be aware QCS has two major reforms underway, namely the implementation of the recommendations from the Queensland Parole System Review Report and the development of a comprehensive 10 Year Strategic Plan to guide QCS' operations. It is anticipated that many of the concerns raised in your letter will be captured within the scope of this work.

The enclosed advice should assist you in the finalisation of your Report. Should you require any further information, please contact Ms Kate Petrie, Acting General Manager, Strategy and Governance, on telephone (07) 3239 3136 or via email at Kate.Petrie@dcs.qld.gov.au who will be pleased to assist.

I trust this information is of assistance.

Yours sincerely

Peter Martin APM
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Enc.

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Attachment 1 – Queensland Corrective Services' Formal Response

Queensland Corrective Services' (QCS) provides the following information to assist with the finalisation of your Report in relation to prisoners with a disability.

Physical and Sexual Violence

QCS is dedicated to ensuring correctional centres are safe environments and takes all incidents and allegations of physical and sexual assault very seriously.

As per the *Public Service Act 2008*, which requires all public sector agencies to maintain a complaints management system for their customers, QCS uses Resolve as its complaints management system. Each correctional centre, probation and parole location and central office business unit are required to identify, record and assess complaints through Resolve. QCS is committed to addressing these complaints in a timely manner and initiates appropriate action where required to resolve these issues. There are also multiple layers of accountability and investigation that concern QCS' operations, these include:

- QCS Chief Inspector provides scrutiny regarding the fair and humane treatment of offenders, and the application of standards and operational practices within Queensland correctional centres and probation and parole offices. The Chief Inspector is also responsible for coordinating the Official Visitors Scheme, and for conducting investigations into significant incidents;

- The Official Visitors Scheme plays an important role in the Queensland correctional system by ensuring a regular, accessible and independent program of visitation to assist prisoners to manage and resolve their complaints;

- The operations of QCS may be investigated by external bodies including the Queensland Ombudsman, Anti-Discrimination Commission Queensland and Queensland Audit Office. Prisoners are able to contact the Ombudsman's office directly and free of charge through the Prisoner Telephone System; and

- 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 Appendix 3. Examples of prescribed persons include the Ombudsman, Anti-Discrimination Commissioner, Health Ombudsman and Chief Inspector. A prisoner's privileged mail must not be read, other than to establish that it is privileged mail, without the prisoner's consent.

The Queensland Government's State Budget Paper 5 Service Delivery Statement for the Department of Justice and Attorney-General provide statistics on the number of assaults in Queensland correctional centres. For 2016-17, QCS recorded the following assault rates:

- Prisoner on prisoner - serious assault: 2.24 per 100 prisoners; and

- Prisoner on prisoner – assault: 7.99 per 100 prisoners.

Where QCS is informed of an alleged assault, the incident must be recorded on the Integrated Offender Management System and referred to the Corrective Services Investigation Unit for investigation. The prisoner will also be referred to Offender Health Services for medical treatment where required.

Where the allegation is of a sexual nature, the victim is immediately referred to a Queensland Health psychologist for treatment. The alleged perpetrator and any witnesses to the assault are also referred to this psychologist. The psychologist will, with the victim's consent, develop a treatment plan for them and conduct a debriefing with relevant parties. QCS will liaise with the psychologist in relation to the victim's placement and monitoring requirements and will give consideration as to whether the victim should have contact with a support person, such as a family member and will arrange this contact where appropriate.

QCS also has a Violence Prevention Strategy which was established to provide staff with a framework for developing initiatives to prevent violence and enhance the safety of staff, visitors, prisoners, offenders and the public. The Violence Prevention Framework is actioned through a range of strategies, programs and initiatives. Local Level Violence Prevention Committees identify, plan and deliver initiatives with a focus on specific localised drivers, which ensures the strategies actioned at correctional centres are specific to their issues.

Separate Confinement

Under Section 60 of the *Corrective Services Act 2006*, prisoners may be placed on a maximum security order for up to six months, if QCS considers, on reasonable grounds, that:

- there is a high risk the prisoner will escape or attempt to escape;
- there is a high risk the prisoner will inflict death or serious injury on other prisoners or other persons with whom the prisoner may come into contact; or
- the prisoner is a substantial threat to prison security and good order.

QCS currently has two operational maximum security units which are at Brisbane Correctional Centre (18 cells) and Woodford Correctional Centre (20). There are no maximum security units or cells at either the Brisbane Women's or Townsville Women's Correctional Centres.

As per the *Corrective Services Regulation 2017*, QCS must have regard to any special needs of the prisoner and how their needs will be met prior to placing a prisoner on a Safety Order (Section 7). Furthermore after making a Safety order for an Aboriginal and Torres Strait Islander prisoner, QCS must inform:

- a Cultural Liaison Officer;
- if an Aboriginal or Torres Strait Islander elder, respected person or indigenous spiritual healer has been appointed for the corrective services facility—the elder, respected person or indigenous spiritual healer; and
- the person nominated by the prisoner as the prisoner's contact person (Section 8).

Where QCS knows, or reasonably believes that a prisoner has a mental health condition or an intellectual disability, QCS must notify a health practitioner before making a maximum security order in relation to the prisoner (Section 16).

QCS Staff Training

Since 2015, all entry-level correctional officer recruits have been required to undertake eight hours of 'Working Effectively with Complex Behaviours' (Working Effectively) training, plus an additional six hours of 'Suicide Prevention' training.

The Working Effectively training covers modules such as mental illness, cognitive impairment and personality disorders. The training was developed in collaboration with the Prison Mental Health Service (PMHS) and is co-delivered with PMHS where possible. The training aims to increase correctional officers' understanding of the drivers of complex behaviours and provides strategies on how to handle these behaviours. While staff are not required to undertake refresher courses, all correctional centres have updated their mental health training within the last three years.

QCS also provides recruits with an information booklet entitled, 'Positive Interactions, a Handbook for Custodial Staff Working with Prisoners with Cognitive Impairment.'

There is no specific training for correctional officers working within the maximum security unit. QCS notes however that correctional officers placed at these units are chosen for their ability to manage difficult prisoners with complex needs and must have proven conflict de-escalation skills.

Aboriginal and Torres Strait Islander Cultural Awareness

5.6% of custodial operations staff and 5.2% of all QCS staff identify as Aboriginal or Torres Strait Islander. This exceeds the Queensland Public Service target of 3%. It should be noted that this information is gathered through a voluntary Equal Employment Opportunity survey.

For QCS, it is a mandatory requirement that all staff complete Cultural Awareness training upon commencement and undertake re-accreditation training every three years.

In 2017, the QCS Academy trained three Aboriginal and Torres Strait Islander staff members to become accredited trainers in the Aboriginal and Torres Strait Islander Mental Health First Aid Program. This Program aims to assist custodial operations staff in identifying the warning signs for prisoners at risk of self-harm and in providing early intervention to prisoners.

In July 2017, QCS formally established the Murridhagun Culture Centre which aims to:

- increase the development and delivery of cultural understanding/responsiveness training to staff employed by QCS;
- build and strengthen partnerships with government and non-government agencies that are working to address Aboriginal and Torres Strait Islander issues; and
- provide advice to senior management and others in relation to Aboriginal and Torres Strait Islander culture and tradition.

QCS has Cultural Development Officers and Cultural Liaison Officers who provide advice to management and staff on specific cultural and management issues, culturally appropriate programs, and services and practices that impact on the management of Aboriginal and Torres Strait Islander offenders and prisoners. They also contribute to the case management of offenders and consult with relevant Aboriginal and Torres Strait Islander communities and organisations.

The QPSR Report made a number of recommendations specifically relating to the management of Aboriginal and Torres Strait Islander prisoners and offenders. Key recommendations include significantly increasing the number of Cultural Liaison Officers within QCS and developing additional rehabilitative programs that are specific to the complex and cultural needs of Aboriginal and Torres Strait Islander prisoners and offenders. This work remains in progress.

Disability Services

QCS works in partnership with the Department of Health to meet the needs of prisoners with disabilities.

Upon admission to a correctional centre, all prisoners undergo a screening process which includes a risk and needs assessment covering general and medical health, self-harm and suicide, drug and alcohol abuse as well as various social factors. Any immediate risks relating to health and wellbeing are referred for further assessment and treatment with Queensland Health.

QCS Psychologists, Counsellors and Cultural Liaison Officers further support and manage the wellbeing and psychological health of prisoners as part of their daily duties within correctional centres. QCS' current wellbeing and psychological health programs are designed to provide prisoners with simple and effective cognitive and behavioural techniques in which to manage day-to-day stress, their emotions and behaviours which may have a negative impact on themselves and others.

Referrals to Queensland Health and PMHS are also made to assess and treat classical mental illness such as schizophrenia and depression.

QCS adapts some rehabilitation programs and services to allow prisoners with a cognitive disability to complete the program.

The QPSR report made two specific recommendations in relation to mental health services which focus on the Queensland Government reviewing the resourcing of prison and community forensic mental health services, with a particularly focus on Aboriginal and Torres Islander people and women. QCS remains in consultation with Queensland Health in relation to these recommendations.

Data on prisoners with disabilities

QCS acknowledges that there is a lack of information on the number of prisoners with disabilities and types of disabilities. As part of the implementation of the National Disability Insurance Scheme (NDIS), QCS is exploring new assessment tools to identify possible eligible participants for the NDIS. Furthermore existing practices will be reviewed to determine ways to more clearly identify the number of prisoners with a disability within Queensland correctional centres.

Lack of accessibility in prisons

QCS acknowledges the issue that some prisons may not be accessible and difficult to navigate for people with physical disabilities. QCS will take these issues into consideration for any future custodial infrastructure.

Inadequate or delayed access to health services

These questions should be referred to Queensland Health who is the responsible entity for the delivery of health services for adult prisoners in Queensland.