



**Correctional Services (Miscellaneous) Amendment Bill
25 July 2007**

Mrs PENFOLD (Flinders): As one of the very few members with a prison in their electorate, I take some interest in the laws relating to prisons. This bill is before us today for our consideration because the review and amendment of laws and regulations is an ongoing responsibility of government. The bill appears to make some very sensible changes. However, I am concerned that the changes being made because of one notorious prisoner could have ramifications on other prisoners and, in particular, their rehabilitation.

The changes to the section relating to prisoner allowances and other money removes areas where injustice, rather than justice, may result from the incarceration of convicted persons. In the past, I believe that some funding sources have been used as payment for drugs and favours and that standover tactics may be used to force an inmate into a particular course of action. In a closed community such as a prison, the temptation to profiteer at the expense of one's associates is strong, and we would be naive to think that this does not happen in our present system. Stricter controls on prisoners' finances should remove most, if not all, of the injustices perpetrated on people who are already considerably disenfranchised. Free availability of significant sums of disposable cash can result in staff and prisoners forming liaisons that do not fall within the code of conduct and the requirement for ethical behaviour. Prisoners and their families can be placed in stressful, damaging situations if money movement is not monitored. The amendment to take more control of prisoners' sources of funds will therefore improve our correctional services system.

I commend the proposal to limit the way in which prisoners can profit from the sale of goods they may have made and to cover the disposal of goods that may have been received by a prisoner. However, I note that the power under this section is given to the chief executive or his delegate. I believe that in practice the delegation should be given to the general manager of the correctional services facility where the prisoner is incarcerated. The chief executive should make clearly defined guidelines for the delegate to adhere to and should always be available should questionable circumstances arise. It seems unnecessarily bureaucratic and inefficient to expect the chief executive to make all decisions in such matters. Therefore, I would prefer to see 'delegate' defined more specifically to include the general manager.

Cards and other small items are made with loving care by prisoners and at their own expense, and I understand they are often given away for family birthdays and similar occasions, as mentioned by the shadow minister. A general manager of a prison would be able to make decisions based on knowledge of the particular inmates. I believe several hundred requests may be made in a day for what can be loosely termed 'property' (for instance, clothing, doonas, sneakers, televisions, etc.) to be sent in. It would clog the system for each and every one of these requests to have to be decided by the chief executive officer. I believe it would be preferable that the general manager of a prison, rather than the chief executive, have the power to make decisions in these cases. Again, clearly defined guidelines should prevent irregularities and/or illegalities. The matter of unauthorised contracts with prisoners further strengthens control of the money trail and supports the changes under prisoner allowances and other money. The scope of people from different external sources who may have contact, or will be in contact, with prisoners is broadened, thus controlling the unjust and possibly unlawful activities within a prison. While correctional services staff, employees of the department and police officers are specifically mentioned, the regulations should include any groups, such as medical staff, who have regular contact with inmates. The section dealing with the supply or administration of drugs to prisoners should cover correctional staff, visitors, support agencies and all people having contact with prisoners. I support the bill.