

My name is [REDACTED]

I am a life sentenced prisoner and currently housed at Borallon Prison. I would appreciate this letter being treated as a public submission to the Queensland Productivity Commission's enquiry into imprisonment and recidivism.

I understand that it can be tempting to dismiss what an inmate has to say. Many would argue that as a convicted criminal my insights and opinions regarding the Queensland prison system are unworthy of consideration. I acknowledge that there are many, especially those within Queensland Corrective Services (QCS), who take this position. I would argue that to investigate and report upon imprisonment and recidivism without involving inmates in the discussion is a significant oversight. I do not pretend to have all of the answers regarding the issues in the system but I do have an insight that I believe is valid and should play some small role in this discussion.

The need to dictate letters over the prison phone system prevents me from expanding on that which I consider to be of most relevance. I would like to make one point that I feel underpins all of the failures of Queensland's prisons: QCS emphasises punishment over rehabilitation. Everything that is acknowledged as being central to the rehabilitation process has been approached from the most punitive and restrictive manner conceivable. Education, training, progression, integration, substance intervention, connections with support networks, living conditions, have all been eroded in the name of community expectations. QCS have taken the position that society wants inmates punished and not rehabilitated.

Inmates understand that punishment is one of the purposes of prison. We accept this. What we do not accept is that punishment should be the sole role of the prisons. Rehabilitation and restoration need to begin to play a larger role. For this to occur the conditions under which inmates live need to be improved and opportunities need to be expanded. The deprivation of liberty was the punishment imposed by the Court. The additional punishments imposed in the name of community expectations are seen by inmates as being the greatest impediment to the rehabilitation process.

There are many in our community who will balk at the idea of treating inmates humanely. It contradicts their ideas of retribution and justice. Often the voices who call for the longer sentences and harsher conditions are those who speak as victims or on behalf of the victims. It is understandable that these people have a desire to see that those who wronged them are met with what they see as justice. The concern among inmates is that often justice can be confused with vengeance. The need to prevent future victims of crime must begin to outweigh the desire for vengeance that permeates Queensland's prison system. Though treating inmates harshly may be seen as being a benefit to victims, society as a whole benefits when inmates are released into the community in a position to be successful.

In much of the recent conversation around prisons there seems to be a misguided acknowledgement that prison authorities are doing their utmost to facility the rehabilitation of inmates but are met with resistance from the prison population. This could not be further from the truth. To illustrate this I have attached two letters which have been sent, in the previous twelve months, to Dr Peter Martin and Deputy Commissioner Andrew Beck. The purpose of including these letters is to show that there are inmates who have a desire to have input into the conditions under which we are housed and the opportunities we are afforded. Though these letters are mine alone, there are other inmates who have attempted to convey similar sentiments over the years. All that has resulted is an increasingly overcrowded and punitive system that is endangering not only those who reside inside Queensland's prisons but the entire Queensland community.

The following letters, as with this introduction, have been dictated via the prison telephone system

[REDACTED]

[REDACTED]

Christmas 2018

Mr Beck

I wish to keep this short as it must be dictated via the phone and in truth I feel that this may be a pointless endeavour. Past attempts at communication with those in QCS have not proven fruitful but those inmates who met with you during your recent visit to Borallon have assured me that you have a positive attitude towards rehabilitation and have come from a system where the things I am going to ask you to consider, already exist.

The Queensland prison system is facing many issues. Unfortunately we are being constantly told that the issues surrounding the system are related to the overcrowding. As an inmate I find this incredibly frustrating.

There was very little access to services long before there was an overcrowding problem.

The difference in the system is that the conditions under which we live have become increasingly punitive. I cannot stress this enough. The punitive conditions under which we reside are causing the unrest. The overcrowding simply adds to it. The overcrowding is not an easy fix but the living conditions are. If conditions could be improved in the short term we feel that it would create a safer more humane system where the larger systemic issues that have resulted in the overcrowding could be addressed without the urgency which exists currently.

In years past, inmates were able to smoke, buy adult magazines, purchase game consoles or computers and cell access was, if not all day, very regular. Each of these small luxuries has been removed creating a volatile environment and leaving inmates with few ways in which to pass the time. These small luxuries not only acted to alleviate the hardships of prison life, they also acted as behavioural incentives. Inmates did not want to go to the DU as it would mean the loss of these items. Incentives to behave no longer exist. Far from being the punishment it once was, the DU is now the only place where inmates can have a break from the daily grind of being doubled up in an overcrowded unit. Although the overcrowding is a significant issue for both the prison system and society generally, many inmates see the conditions under which we are housed as being of far greater importance than the issue of overcrowding.

I ask that you consider making the following changes. They will cost nothing to implement and will significantly ease the tension in overcrowded prisons. Importantly, each of these has been permitted in Queensland prisons in the past decade or so. These are in no way the only issues that we see that need addressing but they are three that could be implemented almost immediately and, if done correctly, could yield positive results immediately.

### **1 Reintroduce the ability for inmates to purchase games consoles**

Games consoles such as the Xbox 360 can be used as both a behavioural incentive and to reduce the impact of overcrowding. Many inmates think of this as being a simple solution to the frustration and boredom that arises from the long hours locked in a cell with nothing to do. Inmates have even indicated that the availability of consoles could lead to double ups occurring on a volunteer basis as with access to a console, a cell mate becomes a play mate and enhances the time spent in the cells rather than detracts.

## **2 Permit inmates to remain in their cells if they wish to do so**

Currently inmates are forced to vacate their cell immediately upon unlock and remain in the yard or common area until lockdown. Sometimes, especially when doubled up, a few hours of alone time can be sorely needed whether it is to use the toilet or to let their guard down and relax. Some staff members permit cell access for short periods in the day but this is not something that an inmate is entitled to.

## **3 Remove the COPD that prevents inmates from accessing material over an “M” rating**

All inmates in Queensland’s prisons are above the age of 15 years and we feel we should be permitted to view, or at least listen to, MA content. This would then lead on to us requesting that we be allowed to purchase our own televisions, DVD players and DVDs in order to watch movies and television series, again alleviating the extreme boredom we face as a result of long hours spent in cells. This is not something we have asked for before as it would be pointless with the content restrictions as they currently exist.

It is said the “carrot and the stick” is the oldest behaviour modification tool in the book because it works. Currently QCS is all stick and no carrot.

Please feel free to respond to this email address or to write to me at the prison.

I hope you have a safe and enjoyable Christmas break and look forward to hearing from you soon.

Regards



FOR THE ATTENTION OF DR PETER MARTIN  
COMMISSIONER QCS  
BRISBANE

Sir

The Prison Advisory Committee (PAC) at the Southern Queensland Correctional Centre (SQCC) had planned to invite you to a meeting to discuss some issues which we believed need to be addressed.

As we were told that the prison would most likely be closing and a number of the PAC members were transferred to Borallon Training and Correction Centre (BTCC), we unfortunately lost the opportunity to extend to you an invitation to meet with us .

As the original PAC members who planned the meeting have been split up we do not request or require a response from you. Instead, we are writing to you to identify the areas we intended to discuss and we will do our best to explain why it is that we considered these issues are so important to inmates.

Admittedly there are some issues which may see trivial but we ask that you try and put yourself in the position of an inmate who must reside under these conditions, often for extended periods of time.

This is by means an exhaustive list of the issues we believe need to be addressed, rather it is the issues which could be addressed with only minor policy changes.

- MEDIUM SECURITY

Queensland has only three security classifications: maximum, high and low. The majority of inmates will never be classified as either maximum or low and will spend their entire sentences at high security prisons. This is especially true of life sentenced inmates who are not permitted to be housed in low security prisons. Creating a medium security classification would enable progression and alleviate the psychological hardships of extended periods in high security prisons.

- LOW SECURITY

Without a medium security classification and the probability of SQCC closing to male sentenced prisoners there is no opportunity for most inmates to escape the hardships of a QCS high security centre. There is no shortage of research relating to the harm of prolonged exposure to the conditions such as those QCS impose on high security inmates. These conditions are counter-productive to the rehabilitation process and are unnecessarily imposed on those who would benefit from being housed in a low security prison in the years prior to release. It is widely acknowledged that progressopn to low security centres assist in the reintegration process and were intended for those serving long sentences.

We ask that you reconsider reintroducing life sentenced inmates access to low security prisons.

- INCENTIVES AND EARNED PRIVILEGES

SQCC has a system where there are three levels of classifications for inmates: basic, standard and enhanced. This system is strongly supported by the majority of inmates and enabled inmates to improve the conditions of their incarceration based on their own behaviour. Unfortunately SQCC was limited by the COPDs which heavily restricted what management were able to offer as behavioural incentives. We request that there be given serious consideration to the widespread implementation of behavioural incentives and that the COPDs be amended to permit prisons to implement incentives that encourage genuine behavioural change.

The time spent in cells in the prison is extensive and for the majority of prisoners under 35 an attractive behavioural incentive would be access to gaming consoles. Though they were once common in Queensland

prisons current COPDs now prevent inmates from purchasing gaming consoles. Furthermore, there are additional restrictions on the types of consoles, which can be applied if the General Manager sees fit to do so. These additional restrictions mean that inmates are not allowed access to the gaming consoles currently available in the shops and which have been on the market for the last fifteen years.

There are many prison systems around Australia and the world that enable prisoners access to consoles as a behavioural incentive. It is recognised that they act to minimise the harm that long periods in cells can cause as well as a distraction to the drug use and violence common to prisons.

We ask that you give special consideration to amending the COPDs regarding the ability for inmates to purchase gaming consoles.

We also ask that you support and encourage prisons to permit their use as we believe that it is unlikely that the current culture of QCS prisons would be receptive to the implementation of such a significant behavioural incentive.

An additional issue with behavioural incentives became apparent at a recent PAC meeting at BTCC Management stated their intention to create punishment units where those with addiction and behavioural issues would be subjected to additional punitive measures such as further exercise restrictions. It was stated that these additional punishments would act as a behavioural incentive to other inmates. This lack of understanding of behavioural incentives indicates the need for educational guidance. For this reason we ask that behavioural incentives be implemented with sufficient oversight to ensure they are introduced with a combination of both aversive and instrumental conditions.

- **INTRODUCING OPIATE REPLACEMENT THERAPY**

This is an issue that impacts every inmate in Queensland. Many of the restrictions inmates face are as a result of prisons attempting to keep these withdrawal medications out of prisons. Again there is substantial literature on the benefits of initiating opiate replacement therapy programs in prisons. Doing so would reduce violence, corruption, sharing of needles, overdoses upon release and there are a range of other well documented benefits. This is a matter of urgency.

- **IMPROVING ACCESS TO TECHNOLOGY AND EDUCATION**

Many inmates are studying under graduate and post graduate degrees online yet are not able to access the internet or printers in any way. This prevents inmates from accessing their “study desk”, downloading materials, accessing online libraries or databases, communicating with lecturers or lodging assignments. The current practice is to have a prison staff member do these things for the inmate. Often those staff tasked with this are not suited to the role. This often results in inmates falling behind or withdrawing from their courses.

Recent years have seen an increase in the assumption that university students have access to the internet. This puts incarcerated students at a significant disadvantage. The technology to restrict access to pre-determined sites and monitor all usage already exists and needs to be implemented if Queensland is going to continue permitting inmates to study.

- **COMMUNICATING WITH FAMILY**

The only way that a friend or family member can contact an inmate is by written letter. This is a foreign concept in today’s increasingly connected world and serves to further limit an inmate’s communication with friends and family. Telephone communication is not ideal as inmates are charged approximately \$8.00 for a ten minute call to a mobile phone despite earning very little. Inmates are often working full-time jobs just for the ability to make a

few phone calls to their family on the weekend. We ask that you look into the extortionate rate that we are charged for phone calls and to consider giving inmates access to some form of email system to better enable communication with support networks.

Communications such as this letter, or a need to have materials presented in digital format or typed up, need to be hand written and painstakingly dictated over the phone so that someone can do this for them. This regularly occurs when inmates are required to correspond in writing to agencies regarding parole, housing, legal matters or employment.

- **DRUG DETECTION AT VISITS**

Highly sensitive drug detection equipment is used at visits that results in a significant number of prisoners losing their contact visits despite acknowledgment that the substances that the visitors are testing positive for are not the substances that are being found in prisons.

Positive test results are especially prevalent on visitors who travel significant distances as their need to use rest rooms, petrol stations, handle cash etc is increased thereby exposing the visitor to increased risks of coming into contact with traces of illicit substances and then giving a positive result. Many inmates have friends and family who no longer visit for this reason.

We ask that this practice cease or the policy is changed to shift the onus to the prisoner so that the visit can still occur despite a positive test result. This could mean that the prisoner is subjected to a more thorough search, time in a dry cell or examination from a medical professional after a visitor's positive test. This is an issue that causes considerable stress to inmates and regularly contributes to relationship breakdowns.

- **CENSORSHIP**

Censorship is imposed in a variety of ways in the prison environment, all of which cause a range of issues for inmates. In general, the feeling of being treated as children, and having excessively strict enforcement of trivial rules causes anger and frustration.

Photos have a variety of restrictions that on the surface may seem as if they are easily navigated but combined, result in many everyday photos being deemed inappropriate. Prohibited photos include:

- Any image that depicts alcohol or could potentially be alcohol. This results in many seizures as any image of a beverage is deemed to be alcohol
- Any photo where a person, male or female, is deemed to be partially clothed.

The definition of partially clothed extends to swimwear, underwear, sporting attire, active wear, pyjamas or any photo that shows a person's chest, shoulders, stomach, thighs or back. This restriction has been enforced so rigorously that men have been denied photos of their newborn babies in incubators, their children opening presents at Christmas and friends competing at sporting events. In an outdoor orientated society such as Australia, the restrictions on photos that deem photos of friends at a weekend barbecue offensive, is excessive and serves no purpose. The majority of photos seized depict normal everyday scenes where the standard of dress would be considered acceptable by community standards. It has been explained to inmates that this is because female officers may find these types of images offensive.

- Images of a child require a statutory declaration from the mother of the child stating a direct relationship with the child and the inmate.

This restriction has a range of impacts on inmates and often prevents fathers from seeing images of their children as some mothers are unwilling to go to the effort of writing the statutory declaration and getting each and every photo witnessed by a JP.

The enforcement of this restriction extends to photos where there is a child somewhere in the background, regardless of whether it is clear or not if the subject is in fact under age. Many inmates have photos seized due to this restriction when the subjects are in fact adults.

Although inmates do acknowledge that there are prisoners in Queensland who should have their access to photos of children restricted due to criminal history relating to children this is not a restriction that should be applied to all prisoners. Inmates perceive this as suggesting that all inmates are sex offenders which is genuinely offensive to inmates.

- Inmates are not permitted to obtain music above the first classification rating of “moderate”.

Some prisons have additional restrictions and do not permit “moderate” CDs to be purchased. This is a restriction that makes inmates feel they are being viewed and treated as children. Coarse language is common in prison and is regularly used by both staff and inmates. For this reason, this restriction serves no purpose. Music is a way to unwind or escape whilst in prison. Any restriction that prevents inmates from accessing it should be for good reason.

- Movies and television that are classified MA or R rating 18+ are not permitted to be watched by inmates.

This is another unnecessary restriction and again makes inmates feel like they are being treated as children. The suggestion that we do not have the maturity to watch a movie that is classified as being appropriate for a fifteen year old is offensive and incredibly frustrating. These types of restrictions also add to the feelings of social isolation and make it difficult to relate to what is relevant on the outside.

- Nothing that resembles material that could be sexually suggestive are permitted in prison.

Although this has been covered by the movie and photo restriction it is important, although difficult, to relay the impact that this has on inmates. Somehow those incarcerated in Queensland are expected to switch off their sexual desires. This is simply unrealistic and an area of extreme frustration. Inmates agree that if there must be women working in a prison there must be some rules relating to the display of materials such as this but banning adult material outright is unnecessarily restrictive.

Prison is an environment where one of the most damaging aspects is boredom. It is often boredom that leads to conflict. There are many restrictions in place in Queensland prisons that prevent access to materials and activities that alleviate that boredom. Inmates understand the “Courier Mail test” is applied to all prison policies and any improvement in conditions will result in backlash. This cannot be a reason for continued failure to rehabilitate inmates.

It is our sincere belief that even those with hard line views on prison and prison conditions will acknowledge that we need to come out of prison better not worse. For this to happen the conditions under which we reside need to improve. If there needs to be a trade-off that reduces the punitive aspect of Queensland prisons and increases the rehabilitative aspects thereby resulting in less crime and fewer victims, it is a trade well made.

It may seem strange to some but many inmates want the same things from their time in prison that an ideal system would hope to deliver: that is a safe environment to live in, access to education and training, and the opportunity to address the personal issues that led to incarceration.

Many of us would welcome the opportunity to help to create a system that works to benefit all of Queensland.

As explained at the beginning of this communication, the PAC members that had planned to invite you to Southern Queensland Correction Centre are now split between SQCC and Borallon so a response to this communication is not required. We just hope that we can prompt you to look into some of these issues.

On behalf of SQCC PAC

27 May 2018