

6 February 2017

Our ref: Criminal Law Committee 339/68

The Hon Yvette D'Ath MP
Attorney-General and Minister for Justice and Minister for Training and Skills
GPO Box 149
BRISBANE QLD 4001

By email: attorney@ministerial.qld.gov.au

Dear Attorney

Access to legal representation in Queensland correctional facilities - Arthur Gorrie Correctional Centre

We write to re-raise the issue of access to legal representation in Queensland correctional facilities.

Our members have reported that access to legal representation in Queensland correctional facilities has deteriorated further. Many of our members have reported that this problem has been steadily worsening over recent years. Most recently, a member sought to obtain a legal visit at Arthur Gorrie Correctional Centre and was advised that Monday-Friday of the following week were all booked and legal visits were only available on the weekend.

Previously, lawyers were permitted ready access without prior appointment to their clients held in custody. However, the current protocol mandates prior arrangement with prison authorities. This results in practitioners experiencing delays of up to a week after contact is made with the prison.

If time permits, practitioners will of course make appropriate prior arrangements with prison authorities before attending at a prison to confer with their inmate clients. However, this is not always possible and in such circumstances inmates still have a right to promptly access legal advice and representation during ordinary business hours. This is especially important in the case of remand facilities such as Arthur Gorrie Correctional Centre. In such facilities, inmates who are remanded into custody without bail are in obvious need of urgent access to their legal representatives, and any delay may unjustifiably prolong their detention.

The Society suggests that all Queensland correctional centres housing remand inmates be directed to put in place measures to ensure that inmates held on remand are able to meet with

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their legal representatives within 24 hours of a request for appointment being made by their lawyers.

We note that we have sent a copy of this letter to your colleague, the Honourable Mark Ryan MP, Minister for Police, Fire and Emergency Services and Minister for Corrective Services for his consideration.

Should you wish to discuss these matters further, please do not hesitate to contact me. If you require clarification of any of the issues raised in our letter, please contact our Senior Policy Solicitor, Ms Binari De Saram on (07) 3842 5885 or b.desaram@qls.com.au.

Yours faithfully



Christine Smyth

President

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