

23 December 2014

Our ref: 339/68

The Hon. Jack Dempsey MP
Minister for Police, Fire and Emergency Services
PO Box 15195
CITY EAST QLD 4002

By Post and Email: [REDACTED]

Dear Minister

Access to legal representation in Queensland correctional facilities

We write to raise the issue of access to legal representation in Queensland correctional facilities. A number of Queensland Law Society members have raised concerns regarding the availability of rooms for legal conferencing at the Arthur Gorrie Correctional Centre. Many of our members have reported that this problem has been steadily worsening over recent years. Previously, lawyers were permitted ready access without prior appointment to their clients held in custody. Nowadays they may meet with such clients only by prior arrangement with prison authorities and, in relatively more recent times, appointments for conference with client inmates are regularly not available for up to a week after contact is made with the prison. Reports coming to us in the past month or so suggest that the number of available legal conference rooms recently has been further reduced, a move which, if it has in fact occurred, can only serve to exacerbate the problem.

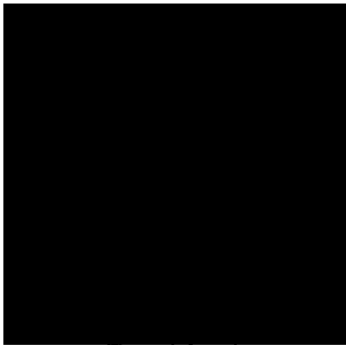
We appreciate that, for reasons of administrative convenience, it is helpful for legal practitioners to make appropriate prior arrangements with prison authorities before attending at a prison to confer with their inmate clients. We would always encourage our members to undertake that practice when circumstances allow. However, very often they do not. Inmates have a right to promptly access legal advice and representation, and mere administrative convenience is not an appropriate justification to interfere with that right. As you will appreciate, circumstances will often arise in which inmates require urgent access to their lawyers, and vice versa. Those who recently have been charged with criminal offences and remanded into custody without bail, and inmates facing imminent legal proceedings, are obvious examples. In our respectful submission it is entirely inappropriate, and a denial of proper access to justice, to expect such inmates to wait up to a week before they may meet with their lawyer.

Access to legal representation in Queensland correctional facilities

We ask that the Arthur Gorrie Correctional Centre (and all other Queensland correctional centres housing remand inmates) put in place whatever arrangements may be necessary to ensure that inmates held on remand may meet with their legal representatives at short notice at any time during normal working hours, and in any event within 24 hours of a request for appointment being made by their lawyers. We further ask that, where urgency is demonstrated, arrangements be made to ensure same-day contact when required.

Please confirm that steps will be taken to accommodate our within request.

If you require clarification of any of the issues raised in our letter, please contact our Senior Policy Solicitor, Ms Binari De Saram on [REDACTED]



President