



28 May 2026

Our ref: [BC:MC]

Confidential

Mr Anthony Reilly
Detention Services Inspection Unit
Queensland Ombudsman
GPO Box 3314,
Brisbane QLD 4001

By email: [REDACTED]

Dear Mr Reilly

Draft inspection standards for Queensland watch-houses

Thank you for the opportunity for the Queensland Law Society (**the Society**) to consider and provide feedback on the draft *Inspection standards for Queensland watch-houses* (**Draft Standards**) and *Guide to assessing the inspection standards for Queensland watch-houses* (**Draft Guide**).

This submission has been prepared with the assistance of the Society's Human Rights and Public Law Committee.

In providing this feedback, we have approached the consultation through a rights-based lens that centres on experiences of people with disability and people from culturally and linguistically diverse backgrounds. Our intention in providing this feedback is to ensure these considerations are embedded in the development of robust, safe and rights-affirming inspection standards.

Draft Guide

Introduction

The term 'vulnerability' is broad and undefined in the Draft Standards. Rather than relying on this broad catchall, it would be more useful to identify and describe specific barriers to equality so they can be more appropriately accommodated.

Principles

We suggest express language is included regarding the availability of interpreter services and obligation to provide accessible communication formats such as Easy English and AUSLAN.

Reception table

Standard 2. Authorisation for the detainee's custody is obtained and explained to the detainee

In respect of the last dot point in the indicators column for Standard 2 requires a record of each detainee's details including the authority to hold the detainee, identification, physical characteristics, any existing guardianship authority, religious or dietary requirements.

We observe that physical characteristics and guardianship are only two aspects of disability. We suggest this dot point is amended to also include reference to other indicators of disability including existing NDIS supports, mediation and other forms of disability support.

Standard 3. Detainees are treated with respect on arrival and made aware of their rights and obligations.

We suggest the indicators relating to interpreters in Standard 3 are expanded to expressly include reference to Easy English resources and access to disability advocacy services. In our members' experience, these resources are frequently overlooked if they are not expressly set out.

Standard 6. Detainees are examined and assessed by a qualified health practitioner on arriving at a watch-house. Immediate mental and physical health care needs are met.

In circumstances where it is determined that a detainee is deemed unfit for custody, the standard should include express reference to the option of community-based placement with support options.

Standard 17. People with known disabilities are safe, protected from harm and neglect, and can enjoy full access to custody services.

The use of the qualifier 'known' when referring to disability is potentially problematic.

Our members are concerned to ensure that protections are applied universally to ensure individuals whose disabilities may not be disclosed or immediately apparent are afforded appropriate protections.

With respect to the evidence sources, it is unclear whether engagement with community and advocacy services refers solely to engagement undertaken by the OCI, or whether it also captures detainee engagement with such services as evidenced through custody records. Both forms of engagement are important and should be explicitly stated and measured. We also suggest information be included about how detainees can request reasonable adjustments or support. This information should be actively promoted and easily accessible and identifiable to detainees, including those with accessibility needs such as low vision or blindness.

Standard 38: All searches are lawful, reasonable and proportionate to the risk posed. They are carried out in the least obtrusive way, only conducted when necessary, and in a manner that is respectful of the inherent dignity of the person being searched.

We recommend a review of the sufficiency of procedures. While we acknowledge significant work has been undertaken to ensure search procedures are appropriate for transgender and gender diverse people, it is unclear whether comparable procedural guidance exists for other attributes (such as disability, cultural background, or other diverse needs). Consideration should be given to whether similar tailored procedures are required to ensure consistency and equitable treatment across all cohorts.

Other comments

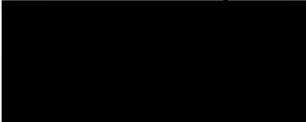
Draft inspection standards for Queensland watch-houses

Currently, there is no reference to housing arrangements for gender diverse or transgender detainees, such as whether individuals should be accommodated in accordance with their gender. We recommend consideration of this in the Draft Standards and Draft Guide.

We note the Custodial Operations Practice Directive¹ has been updated to include specific guidance in relation to LGBTIQ people. We suggest consideration is given to including similar recognition in the Draft Standards and Draft Guide.

If you have any queries regarding the contents of this letter, please do not hesitate to contact our Legal Policy team via policy@qls.com.au or by phone on [REDACTED] [REDACTED]

Yours faithfully



Peter Jolly
President

¹ Queensland Government, Custodial Operations Practice Directive, *Trans and Gender Diverse Prisoners*, 26 May 2025 <<https://www.publications.qld.gov.au/ckan-publications-attachments-prod/resources/c4782e0a-b06b-4877-96b0-fae43846dffc/copd-transgender.pdf>>.