

7 February 2018

Public Advocate of Queensland supports Human Rights Watch's call to end the abuse and neglect of prisoners with disabilities in Queensland

The Queensland Public Advocate, Mary Burgess, today supported Human Rights Watch's call for governments to act to end the abuse and neglect of prisoners with disabilities.

"The Human Rights Watch report, *I Needed Help, Instead I was Punished*, launched in Sydney last night, is a sad indictment on the performance of key Queensland justice agencies in terms of their treatment of people with disabilities", the Queensland Public Advocate, Mary Burgess says.

The report examines how prisoners with disabilities are at serious risk of bullying, harassment, violence and abuse from fellow prisoners and staff.

Ms Burgess will be facilitating an expert panel discussion at the Queensland launch of the report in Brisbane on Thursday evening in the Supreme Court Library.

"The harrowing stories of callous and criminal treatment of people with disabilities in our State prisons demonstrate that we have a long way to go to meet our international obligations, in the treatment of prisoners, and people with disabilities in particular," Ms Burgess said.

"I am particularly concerned about reports that prisoners with mental health conditions and cognitive disabilities are spending long periods locked up alone in detention or safety units. It is irrelevant what terms are used to describe these conditions —they amount to solitary confinement — and it is well recognised that this type of treatment can cause, or exacerbate, mental health conditions and severely negatively impacts people with cognitive or intellectual disabilities."

The Public Advocate has a role under Queensland law to advocate for the protection of the rights and interests of people with impaired decision-making capacity.

"My role includes monitoring the provision of services and facilities to people with impaired decision-making capacity. This role includes advocating for the rights of prisoners with mental health conditions or intellectual or cognitive disabilities," Ms Burgess said.

"Prison is meant to be the punishment, not for punishment. It is part of being a civilised society that we ensure that the people we are managing in our prisons are being treated appropriately and not abused and neglected to the point that they are more damaged and less able to be a productive member of the community on their release, than when they went into prison.

"Now that this report has been released, we all share collective responsibility as a community to ensure that these abusive practices and neglect of prisoners with disability ends.

"I know that the people who administer our correctional system do not want to be managing a system that treats people with such callous disregard.

"It is a very difficult role to manage prisons and to ensure that people are treated well and kept safe. Prisons are inherently dangerous places, and this report shows how prisoners with disabilities are particularly vulnerable to mistreatment and bullying in our prisons," said Ms Burgess.

"I hope to work with the Department of Corrective Services to develop a plan to address the issues of concern in the Human Rights Watch report.

“In particular, the practice of using prisoners as carers for other vulnerable prisoners with disability is riddled with risk. It also amounts to a failure by a government agency to meet its responsibilities to provide proper treatment and care to the people placed in its facilities.”

Ms Burgess said that considering we have such a large proportion of people with disabilities winding up in our prisons the community should be asking whether the justice system and other government systems have served these people well during the course of their lives.

“We should be asking why steps weren’t taken to protect these people from abuse and neglect when they were children and how we allowed them to disconnect from education and training systems which would have provided them with opportunities to be productive working members of our communities. Instead, they slip through all of the government nets that are there to support them and end up in the justice system,” she said.

“Once they go to gaol and are brutalised, it is much harder for prisoners with disabilities to recover from this treatment and turn their lives around when they are released.”

ENDS