




Speech By
Dr Christian Rowan

MEMBER FOR MOGGILL

Record of Proceedings, 19 September 2019

PRIVATE MEMBER'S STATEMENT

Forensic Disability Service

 **Dr ROWAN** (Moggill—LNP) (2.18 pm): The Queensland Ombudsman's report into the detention of people at the Forensic Disability Service is nothing short of an embarrassment and an indictment of the Palaszczuk Labor government's Minister for Disability Services. With 15 recommendations covering some 49 specific courses of action, it is absolutely critical that the Labor Minister for Disability Services accepts full responsibility, takes charge and ensures that immediate action is taken with respect to the Forensic Disability Service. The Forensic Disability Service, first established under the Bligh Labor government in 2011, was created, as the Ombudsman's report notes, as a facility for the exclusive purpose of providing secure care to people subject to a forensic disability order or equivalent interstate order on the basis of an intellectual or cognitive disability and not a mental health condition.

As the Ombudsman's report makes painfully clear, the Forensic Disability Service has failed to live up to this purpose. The entire report is littered with countless references to dysfunction, disagreement and alleged departmental interference that has occurred under the direction and oversight of the Palaszczuk Labor government. On page 9 of the executive summary, the Ombudsman said—

The investigation found persistent disagreement between the Department and the Director about their respective roles and responsibilities in administering the FDS.

Perhaps quite alarmingly, on page 137 the Queensland Ombudsman's report states—

... the Director stated that, during the initial phase of her appointment, she held 'great concerns' about the role the Department appeared to be playing in the decisions and reporting of the Director, including the annual reports. The Director provided multiple examples of concerns she held about the Department's attempts to influence her annual reports.

Further evidence of the mismanagement, chaos and dysfunction that has reigned at the FDS under the minister, her director-general and the department was revealed during this year's estimates hearings. Under questioning, the director-general informed the committee that, incredibly, in relation to staff corrupt conduct and misconduct, 25 referrals were managed in 2018 of which 23 were new referrals. It was further revealed in relation to corrupt conduct during 2018-19 that five new matters were assessed as corrupt conduct and had to be referred to the CCC.

This is all before we have even had the opportunity to look at the case of the detained person referred to by the Ombudsman as 'Adrian'. Held in seclusion for 99 per cent of the time and with the repeated use of police and police dogs to control his behaviour, the Ombudsman understandably concluded that the management of Adrian has been 'contrary to law, unreasonable, oppressive and improperly discriminatory'.

Our great Westminster system of democracy demands that Labor's Minister for Disability Services accepts ultimate responsibility for these failings. This is what ministerial accountability is all about. During recent sittings of parliament I have told the House that it is incumbent on this minister to

provide to the parliament each and every time she has requested a report of the director of the Forensic Disability Service under section 87 of the act. Such a request can only be made if it is in the public interest. If you use the public interest as your justification for requesting reports then the public has a right to know the contents of the reports that were commissioned in its name. This is an absolute scandal and the minister needs to be condemned.