

Proclamation – Corrective Services (Emerging Technologies and Security) and Other Legislation Amendment Act 2023

Explanatory notes for SL 2025 No. 37

made under the

Corrective Services (Emerging Technologies and Security) and Other Legislation Amendment Act 2023

General Outline

Short title

Proclamation commencing certain provisions of the *Corrective Services (Emerging Technologies and Security) and Other Legislation Amendment Act 2023*.

Authorising law

Section 2 (Commencement) of the *Corrective Services (Emerging Technologies and Security) and Other Legislation Amendment Act 2023* (Emerging Technologies and Security Act).

Policy objectives and the reasons for them

The policy objective of the *Proclamation - Corrective Services (Emerging Technologies and Security) and Other Legislation Amendment Act 2023* (the proclamation) is to commence sections 19 (Insertion of new ch 4, part 3A) and 35 (Insertion of new s 490ZH) of the Emerging Technologies and Security Act. The Emerging Technologies and Security Act amended the *Corrective Services Act 2006* (CS Act) to ensure the continued safety and security of the custodial environment.

Section 19 of the Emerging Technologies and Security Act inserts new section 173A in the CS Act to provide a clear head of power for the Queensland Corrective Services (QCS) chief executive to authorise the use of a prescribed surveillance device within a corrective services facility to monitor and record activity in and around the facility.

Surveillance devices enable QCS to collect, evaluate, and analyse information to identify and manage risk; respond to or investigate emergency incidents; support a breach hearing or review; prosecute an offence; and deter prisoners and visitors from attempting to breach security requirements.

Section 35 of the Emerging Technologies and Security Act inserts new section 490ZH to provide a transitional provision for section 19 which applies if a prescribed surveillance device

is in use at a corrective services facility immediately before commencement. From commencement, the use of the prescribed surveillance device is taken to be authorised by the QCS chief executive.

Achievement of policy objectives

The policy objective is achieved by fixing 2 June 2025 as the commencement date for sections 19 and 35 of the Emerging Technologies and Security Act.

Consistency with policy objectives of authorising law

The proclamation is consistent with the policy objectives of the Emerging Technologies and Security Act.

Inconsistency with policy objectives of other legislation

No inconsistencies with the policy objectives of other legislation have been identified.

Alternative ways of achieving policy objectives

There are no alternative means of achieving the policy objective.

Benefits and costs of implementation

Commencing sections 19 and 35 of the Emerging Technologies and Security Act will provide clear authority to use prescribed surveillance devices to maintain safety and monitor threats within the correctional environment.

Any costs associated with the implementation of the proclamation will be met within existing resources.

Consistency with fundamental legislative principles

The proclamation does not engage any fundamental legislative principles not addressed in the Explanatory Notes to the Emerging Technologies and Security Act.

Consultation

In accordance with the *Queensland Government Better Regulation Policy*, the proclamation is determined to be a proposal relating to police powers and administration, general criminal laws, the administration of courts and tribunals and corrective services, and does not require further impact analysis.

No public consultation was conducted as the amendments are minor and technical in nature.