

Corrective Services (Remotely Piloted Aircraft) Amendment Regulation 2018

Explanatory notes for SL 2018 No. 6

Made under the

Corrective Services Act 2006

General Outline

Short title

Corrective Services (Remotely Piloted Aircraft) Amendment Regulation 2018

Authorising law

Sections 123(1) and 355 of the *Corrective Services Act 2006* (the Act).

Policy objectives and the reasons for them

Under section 3 of the Act, the purpose of corrective services is community safety and crime prevention through the humane containment, supervision and rehabilitation of offenders.

Contraband introduced by remotely piloted aircrafts (RPAs) (commonly referred to as ‘drones’) is an emerging threat placing the safety and security of correctional facilities at risk. RPAs can be used as a surveillance tool (e.g. to aid an escape), introduce contraband into a prison, used as a weapon or used to create mischief generally.

The object of the *Corrective Services (Remotely Piloted Aircraft) Amendment Regulation 2018* (the Regulation) is to prohibit unauthorised RPAs being brought within a correctional facility.

Achievement of policy objectives

The Regulation will extend the offences under sections 123 and 128 of the Act in respect of dealing with a prohibited thing or taking a prohibited thing into a correctional facility without approval, to include RPAs.

Further, the Regulation will enliven seizure powers under section 138 of the Act so that corrective services officers may seize unauthorised RPAs found in a correctional facility.

The Regulation commences on 15 February 2018.

Consistency with policy objectives of authorising law

In regulating the unauthorised use of RPAs in correctional facilities, the Regulation supports the object of the Act in promoting community safety and crime prevention.

Inconsistency with policy objectives of other legislation

There is no inconsistency with the policy objectives of other legislation.

Benefits and costs of implementation

The costs associated with the implementation of this amendment of the Regulation will be met within existing resources.

Consistency with fundamental legislative principles

The amendment to the *Corrective Services Regulation 2017* is consistent with the fundamental legislative principles as defined in Section 4 of the *Legislative Standards Act 1992*.

Consultation

The changes meet category (j) *Regulatory proposals relating to police powers and administration, general criminal laws, the administration of courts and tribunals and corrective services*, an agency-assessed exclusion category and accordingly do not require consultation with the Office of Best Practice Regulation, Queensland Productivity Commission.