

## DIRECTIONS WHILE DECLARATION OF EMERGENCY DATED 8 JUNE 2020 IS IN FORCE

### Sections 157(1A), 263, 264 and 268(4) of the *Corrective Services Act 2006*

On 8 June 2020 I, Peter Martin APM, Commissioner, Queensland Corrective Services, with the approval of the Minister for Police and Minister for Corrective Services, declared that an emergency exists in relation to all corrective services facilities (the **Declaration**) for a period of 90 days from 9 June 2020 until 11:59pm on 6 September 2020.

The Declaration was made following advice from the Chief Health Officer who believed it was necessary to make the Declaration to assist in containing, or to respond to, the spread of COVID-19 within corrective services facilities and the wider community.

On 22 August 2020, in light of new cases of COVID-19 recorded in South East Queensland, the proximity of those cases to several Queensland corrective services facilities and identified community transmission of COVID-19, in consultation with the State Health Emergency Coordination Centre, I made a decision pursuant to section 157(1A) of the *Corrective Services Act 2006 (CS Act)* to suspend access for all visitors other than:

- a. an accredited visitor where access is approved by me;
- b. a government visitor where access is approved by me;
- c. a casual site visitor where access is approved by me;
- d. a law enforcement visitor;
- e. an emergency services officer;
- f. a professional visitor whose attendance is necessary to perform health duties or provide psychological care and access is approved by me;
- g. a commercial visitor whose attendance is necessary to perform essential maintenance or delivery of essential goods and services and access is approved by me;
- h. elders, respected persons and spiritual healers, where access is approved by me; and
- i. religious visitors, where access is approved by me,

for the following corrective services facilities:

- Arthur Gorrie Correctional Centre
- Borallon Training and Correctional Centre
- Brisbane Correctional Centre
- Brisbane Women's Correctional Centre
- Wolston Correctional Centre
- Helana Jones Centre
- Southern Queensland Correctional Centre
- Palen Creek Correctional Centre
- Numinbah Correctional Centre
- Woodford Correctional Centre
- Maryborough Correctional Centre (the Suspension Decision).

On 26 August 2020, upon being advised that a corrective services officer had tested positive for COVID-19, and in accordance with advice from the Chief Health Officer and

the State Health Emergency Coordination Centre, I directed that all activities in the correctives services facilities to which the Suspension Decision applied were suspended, unless approved by me, and all prisoner privileges for prisoners accommodated at any of the corrective services facilities to which the Suspension Decision applied were withheld, unless approved by me.

On 27 August 2020, following further consultation with the Chief Health Officer and the State Health Emergency Coordination Centre, I decided it was reasonable and necessary to preserve the good order of the corrective services facilities to include Capricornia Correctional Centre and the Princess Alexandra Hospital Secure Unit in the corrective services facilities to which the Suspension Decision applied (**the Amended Suspension Decision**). The Amended Suspension Decision was to remain in place until further notice, for a period of up to one year.

On 29 August 2020, following extensive consultation with the Chief Health Officer and the State Health Emergency Coordination Centre, testing of staff identified by Queensland Health for COVID-19 and tracking of staff and prisoner movements, I directed that:

- The Amended Suspension Decision was revoked in so far as it related to Capricornia Correctional Centre, effective 12:00am on 30 August 2020; and
- The Amended Suspension decision would otherwise continue to apply until further notice, for a period of up to one year from the date of the original Suspension Decision, to all other corrective services facilities the subject of the Amended Suspension Decision.

Today, following further consultation with the Chief Health Officer and the State Health Emergency Coordination Centre, I direct as follows:

1. The Amended Suspension Decision is revoked in its entirety;
2. I have made a decision pursuant to section 157(1A) of the CSA to suspend all visitor access approvals for personal visitors to all corrective services facilities (**the 3 September 2020 Personal Visit Suspension Decision**).

In reaching this decision I have considered:

- the effect of a proposed suspension on a child for whom approval has been given to accompany the visitor; and
- whether the child may, unaccompanied by an adult, visit the prisoner. I consider that, in light of the current COVID-19 health emergency, the entry of any person, including children, could potentially put corrective services facilities at risk.

3. The 3 September 2020 Personal Visit Suspension Decision will remain in place until further notice, for a period of up to one year.
4. In addition to the suspension of access approvals for personal visitors under the 3 September 2020 Personal Visit Suspension Decision, and under section 263(2) and section 268(4) of the CS Act, all visitor access to a **Stage 3 corrective services facility** or **Stage 4 corrective services facility** is prohibited other than access by:

- a. an accredited visitor where access is approved by me;
- b. a government visitor where access is approved by me;
- c. a casual site visitor where access is approved by me;
- d. a law enforcement visitor;
- e. an emergency services officer;
- f. a professional visitor whose attendance is necessary to perform health duties or provide psychological care and access is approved by me;
- g. a commercial visitor whose attendance is necessary to perform essential maintenance or delivery of essential goods and services and access is approved by me;
- h. elders, respected persons and spiritual healers, where access is approved

by me; and

- i. religious visitors, where access is approved by me.
5. No QCS staff or visitors may attend the Queensland Corrective Services Academy (the **Academy**) or the Wacol location of the Escort and Security Branch (**ESB**), unless approved by me;
  6. the wearing of face masks as approved personal protective equipment is mandatory for QCS staff or approved visitors to any Stage 3 corrective services facility, Stage 4 corrective services facility, the Academy or ESB;
  7. the wearing of face masks as approved personal protective equipment is mandatory for all prisoners when escorted out of their cell at any Stage 4 corrective services facility, while being transported by the ESB or as otherwise directed by Queensland Health personnel;
  8. all activities in a Stage 4 corrective services facility are suspended, unless approved by me;
  9. all prisoner privileges for prisoners accommodated at any Stage 4 corrective services facility are withheld, unless approved by me;
  10. all staff or visitors to any corrective services facility, the Academy or ESB must comply with all directions given by Queensland Health including any direction to undertake testing for COVID-19 and/or to self-isolate or quarantine;
  11. all prisoners accommodated at any corrective services facility must comply with all directions given by Queensland Health including any direction to undertake testing for COVID-19 and/or to self-isolate or quarantine;
  12. the following QCS policies will apply to all corrective services facilities:
    - a. the 'Managing Prisoner Reception' policy (including 14-day isolation of new admissions under that policy);
    - b. the 'Managing Employee Health Risks to COVID-19' policy;
    - c. the 'Managing Vulnerable Prisoners' policy;
  13. for the purposes of these directions:
    - a. Each of the following is a **Stage 3 corrective services facility**:
      - Borallon Training and Correctional Centre;
      - Brisbane Correctional Centre;
      - Wolston Correctional Centre;
      - Helena Jones Correctional Centre;
      - Southern Queensland Correctional Centre;
      - Palen Creek Correctional Centre;
      - Numinbah Correctional Centre;
      - Woodford Correctional Centre;
      - Maryborough Correctional Centre; and
      - Princess Alexandra Hospital Secure Unit.
    - b. Each of the following is a **Stage 4 corrective services facility**:
      - Arthur Gorrie Correctional Centre.

These directions are made pursuant to sections 157(1A), 263(2), 264 and 268(4) of the CS Act. They have been made in consultation with Queensland Health and the Chief Health Officer and in accordance with the approach taken by the Queensland Government to prevent the transmission of COVID-19.

Given the high risks to a vulnerable prison population if COVID-19 were to enter a corrective services facility, I consider that any impact on the human rights of prisoners, staff, family members or any other person as a result of these directions is demonstrably justifiable.

These directions take effect from 12:00am on 4 September 2020, revoking and replacing the previous directions made by me pursuant to sections 263(2) and 268(4) of the CS Act on 29 August 2020. These directions will remain in place until revoked or replaced by me.



-----  
Peter Martin APM

Commissioner, Queensland Corrective Services

3 September 2020