

DIRECTIONS WHILE DECLARATION OF EMERGENCY DATED 31 MARCH 2021 IS IN FORCE

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

On 31 March 2021, I, Peter Martin APM, Commissioner, Queensland Corrective Services (**QCS**), 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 for the period commencing on 1 April 2021 and expiring at 11:59pm on 30 April 2021 (the **Declaration**).

The Declaration was made following extensive consultation with the Chief Health Officer, Queensland Health and the State Health Emergency Coordination Centre 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 29 March 2021, following community transmission of COVID-19 throughout Greater Brisbane:

- Queensland Health announced that Greater Brisbane would go into a three-day lockdown from 5:00pm, 29 March 2021. They also announced mandatory mask wearing requirements throughout all of Queensland;
- I made a decision pursuant to section 157(1A) of the *Corrective Services Act 2006* (**CS Act**) to suspend all visitor access approvals for personal visitors to each corrective services facility throughout Queensland (the **New Suspension Decision**).

On 30 March 2021, following the imposition of further restrictions by Queensland Health within Greater Brisbane and the whole of Queensland, and pursuant to sections 263(2) and 268(4) of the CS Act, I directed that all visitor access to any corrective services facility was 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.

Today, Queensland Health has advised me that, in light of the low level of community transmission of COVID-19 in Queensland, they have decided to ease restrictions placed on Greater Brisbane and the whole of Queensland, effective from 6am (AEST) on 15 April 2021. Queensland Health has also recommended QCS remove the restrictions placed on visitors to corrective services facilities on 29 March 2021 and 30 March 2021.

In light of this advice and the recommendations received from Queensland Health, and recognising that the safety, welfare and human rights of prisoners and staff are paramount considerations for QCS, I direct as follows:

1. the New Suspension Decision is revoked in its entirety;

2. any **Staff Member** who has been in a **Named Location** must:
 - a. immediately inform their direct supervisor in writing and not attend at their place of work (whether that place is a corrective services facility or otherwise);
 - b. undergo a test for COVID-19; and
 - c. comply with all directions given by their direct supervisor and Queensland Health in relation to their COVID-19 test and any self-isolation or quarantine requirements.
3. the wearing of face masks as approved personal protective equipment is strongly encouraged for all **Staff Members** and visitors to any corrective services facility, including when transporting a prisoner, in circumstances where social distancing is not possible, or otherwise as directed by Queensland Health personnel;
4. the wearing of face masks as approved personal protective equipment is mandatory for all prisoners who have COVID-19 symptoms, as determined by Queensland Health personnel, when they are required to leave their cells including while being transported outside a corrective services facility;
5. the following QCS policies will apply to all corrective services facilities:
 - a. 'Managing new admission reception prisoners and COVID-19 isolation'
 - b. 'Managing Employee Health Risks to COVID-19'; and
 - c. 'Managing Vulnerable Prisoners';
6. For the purposes of these directions:
 - a. **Staff Member** has the meaning given in the CS Act;
 - b. a **Named Location** is a place for which an active contact tracing alert has been published on the Queensland Health website, provided that the Staff Member was in the Named Location during the times specified in the alert.

These directions are made pursuant to sections 263(2), 264 and 268(4) of the CS Act. They have been made in consultation with Queensland Health, the Chief Health Officer and the State Health Emergency Coordination Centre 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, and the medical advice received, 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 will take effect from 6am (AEST), 15 April 2021, revoking and replacing the previous directions made by me pursuant to sections 263(2) and 268(4) of the CS Act on 31 March 2021. These directions will remain in place until revoked or replaced by me.



Peter Martin APM

Commissioner, Queensland Corrective Services

14 April 2021