

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

### Sections 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 23 April 2021:

- the Western Australia Premier announced that the **WA Areas** will enter into a lockdown effective 12:01am 24 April 2021 following two COVID-19 positive cases (the **WA Lockdown**);
- the Queensland Chief Health Officer made a public health direction pursuant to section 362B of the *Public Health Act 2005* requiring that any individual in Queensland who has been in any of the WA Areas on or since 17 April 2021 and:
  - entered Queensland before 11.59pm on 23 April 2021 must comply with the terms imposed under the WA Lockdown for the duration of the lockdown; or
  - entered Queensland after 12am on 24 April 2021 must enter hotel quarantine for up 14 days on arrival.

In accordance with the advice of the SHECC, Chief Health Officer and 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. any **Staff Member** who has been in any of the **WA Areas** on or since 17 April 2021 and entered Queensland before 11.59pm on 23 April 2021, 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 remain at home or in arranged accommodation until 2am on 27 April 2021 even if they receive a negative test result; and
  - c. comply with all directions given by their direct supervisor and Queensland Health in relation to their COVID-19 test and any mask wearing, self-isolation or quarantine requirements;
2. any **Staff Member** who has been in any of the **WA Areas** on or since 17 April 2021 and entered Queensland after 12am on 24 April 2021, must
  - a. immediately inform their direct supervisor in writing and not attend their place of work (whether that place is a corrective services facility or otherwise); and
  - b. enter hotel quarantine for up to 14 days or as otherwise directed by Queensland Health;

- c. comply with all directions given by their direct supervisor and Queensland Health in relation to COVID-19 testing and any additional mask wearing, self-isolation or quarantine requirements.
3. 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;
4. any person who was in any of the **WA Areas** on or since 17 April 2021 and entered Queensland before 11.59am on 23 April 2021 will not be allowed to enter a corrective services facility unless and until:
  - a. the WA Lockdown has ended; or
  - b. they have undergone a test for COVID-19 and returned a negative result, whichever occurs last;
5. any person who was in any **WA Areas** on or since 17 April 2021 and entered Queensland after 12am on 24 April 2021, will not be allowed to enter a corrective services facility unless and until:
  - a. they have completed up to 14 days hotel quarantine as directed by Queensland Health; and
  - b. have undergone a test for COVID-19 and returned a negative result, whichever occurs last;
6. 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;
7. 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;
8. the following QCS policies will apply to all corrective services facilities:
  - a. 'Managing new admission reception prisoners and COVID-19 isolation'
  - b. 'Managing 'at risk' employees'; and
  - c. 'Managing Vulnerable Prisoners';
9. 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;
  - c. **WA Areas** means the Perth Local Government Areas and the Peel regions published on the Queensland Health website.

These directions are made pursuant to sections 263(2), 264 and 268(4) of the *Corrective Services Act 2006 (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 immediately upon signing, revoking and replacing the previous directions made by me pursuant to sections 263(2) and 268(4) of the CS Act on 23 April 2021. These directions will remain in place until revoked or replaced by me.



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Peter Martin APM

Commissioner, Queensland Corrective Services

24 April 2021