

DIRECTIONS WHILE DECLARATION OF EMERGENCY DATED 29 JUNE 2021 IS IN FORCE

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

On 29 June 2021, I, Peter Martin APM, Commissioner, Queensland Corrective Services (**QCS**), with the approval of the Minister for Police and Corrective Services and Minister for Fire and Emergency Services, declared that an emergency exists in relation to all corrective services facilities for the period commencing on 29 June 2021 and expiring at 11:59pm on 27 September 2021 (the **Declaration**).

The Declaration was made following extensive consultation with the Chief Health Officer and Queensland Health 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.

As a result of an increase in community transmission of the Delta variant of COVID-19 in New South Wales and pursuant to her powers under section 362B of the *Public Health Act 2005*, the Queensland Chief Health Officer has declared that:

- the Waverley Local Government area is a **COVID-19 hotspot** effective from 1am on 19 June 2021; and
- numerous Local Government Areas in the Greater Sydney, Central Coast, Blue Mountains, Wollongong and Shellharbour regions of New South Wales are **COVID-19 hotspots** effective from 1am on 24 June 2021.

In addition to this, the Queensland Chief Health Officer has directed that anyone who has been in one of these Local Government Areas since their identified start date as a **COVID-19 hotspot** is not allowed to enter Queensland unless they are a Queensland resident or have an exemption and anyone who is allowed to enter Queensland must enter hotel quarantine.

Today, considering the new cases of the Delta variant of COVID-19 recorded in South East Queensland, the Queensland Chief Health Officer announced that the **LGAs** would be entering a three day lockdown commencing 6pm on 29 June 2021.

In light of the lockdown and the current spread of the Delta variant, I have decided it is reasonable and necessary to preserve the security and good order of the corrective services facilities to suspend all visitor access approvals for personal visitors to all corrective services facilities throughout Queensland pursuant to section 157(1A) of the *Corrective Services Act 2006* (**CS Act**) (**Suspension Decision**).

The Suspension Decision will take effect immediately on my signing of this direction and remain in place until further notice, for a period of up to one year. I confirm I have also considered the following in making my Suspension Decision:

- 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. The entry of any person, including children, could potentially put corrective services facilities at risk.

I direct that while the Declaration is in force:

1. in addition to the suspension of access approvals for personal visitors under the

Suspension Decision, and pursuant to section 263(2) and section 268(4) of the CS Act, all visitor access to all Queensland corrective services facilities 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;
2. any **staff member** who has been in a **COVID-19 hotspot, interstate area or place of concern, interstate exposure venue, a named location** or identified as a **close contact** 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 self-isolation, quarantine requirements or mask wearing requirements;
3. all Staff Members and all visitors to any corrective services facility throughout Queensland or any QCS location or workplace within an **LGA** that is not a corrective services facility, must comply with any **Mask Requirement**;
4. masks are mandatory for all prisoners in all corrective services facilities when they are outside of their secure unit or residential compound;
5. for corrective services workplaces that are not a corrective services facility and are not included in a defined LGA, the wearing of face masks as approved personal protective equipment is strongly encouraged for all Staff Members and visitors, including when transporting a prisoner, in circumstances where social distancing is not possible, or otherwise as directed by Queensland Health personnel;
6. the following QCS policies will apply to corrective services facilities depending on the level of restriction at the facility:
- a. 'Managing new admission reception prisoners and COVID-19 isolation – Stage 1'; or
 - b. 'Managing prisoner transfers & receptions during COVID-19 restricted operations' (this applies to any correctives services facility not in Stage 1);
7. the following QCS policies will apply to all corrective services facilities:
- a. 'Managing 'at risk' employees; and

b. 'Managing Vulnerable Prisoners'

8. for the purposes of these directions:

a. **staff member** has the meaning given in the CS Act;

b. a **close contact** is a person who has been identified as:

i. a close contact of a person diagnosed with COVID-19 by a Queensland public health officer; or

ii. a close contact or casual contact of a person diagnosed with COVID-19 by an interstate government authority;

c. a **named location** is a place for which an active contact tracing alert has been published on the Queensland Health website, provided that the individual was in the named location during the times specified in the alert;

d. a **COVID-19 hotspot** means a place which has been declared as a COVID-19 hotspot by the Chief Health Officer and is published on the Queensland Health website, provided the individual was in the COVID-19 hotspot since the identified start date and time for the COVID-19 hotspot;

e. an **interstate exposure venue** means an interstate site for which an alert has been published on the Queensland Health website, provided that the individual was at the Interstate exposure site during the times specified in the alert;

f. an **interstate area or place of concern** means a particular area or place of Australia decided by the Chief Health Officer and published on the Queensland Health website provided that the individual was in the interstate area or place of concern since the identified start date and time for the interstate area or place of concern;

g. the **Mask Requirement** includes:

i. the requirement to carry a face mask at all times when outside the home;

ii. for staff members and visitors attending a corrective services facility – wearing a face mask within the corrective services facility; and

iii. any other requirement published on the Queensland Health website or directed by Queensland Health;

h. an **LGA** is defined by Queensland Health to include the following local government areas:

i. Noosa;

ii. Sunshine Coast;

iii. Ipswich;

iv. Logan;

v. Redlands;

vi. Moreton Bay;

vii. Brisbane;

viii. Gold Coast;

ix. Scenic Rim;

x. Lockyer Valley;

- xi. Somerset;
- xii. Townsville City; and
- xiii. Palm Island Aboriginal Shire.

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 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, 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 on signing, revoking and replacing the previous directions made by me pursuant to sections 263(2) and 268(4) of the CS Act on 28 June 2021. These directions will remain in place until revoked or replaced by me.



Peter Martin APM
Commissioner, Queensland Corrective Services

29 June 2021