

## 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**).

The Chief Health Officer has now published the **Restriction Directions** effective from 5:00pm 29 March 2021 which impose restrictions within Greater Brisbane and the whole of Queensland.

Upon review of the Restriction Directions, further consultation with Queensland Health, and in recognition of the fact that the safety and welfare of prisoners and staff are paramount considerations for QCS, I direct as follows:

1. The New Suspension Decision remains in effect until further notice for a period of up to one year from 29 March 2021;
2. in addition to the suspension of access approvals for personal visitors under the New Suspension Decision, and pursuant to section 263(2) and section 268(4) of the CS Act, all visitor access to any 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;
3. any **Staff Member** who was 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 **Staff Member** who works at:
- a. Lotus Glen Correctional Centre;
  - b. Townsville Correctional Centre;
  - c. Capricornia Correctional Centre; or
  - d. Maryborough Correctional Centre

who was in Greater Brisbane from 20 March 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
  - 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.
5. All training at the Queensland Corrective Services Academy (the **Academy**) will be suspended until 6 April 2021.
6. the only Staff Members that may attend the Queensland Corrective Services Academy (the **Academy**) are those for whom the Academy is currently their normal place of work and for whom such attendance is essential to carry out their work, no other Staff Members or visitors may attend the Academy unless approved by me. All Staff Members at the Academy must wear a face mask as approved personal protective equipment unless undertaking intense physical activity;
7. Staff Members for whom the Academy is currently their normal place of work must not attend at other QCS work locations until further notice unless approved by me;
8. all Staff Members and all visitors to any QCS location or workplace, whether or not that location or workplace is a corrective services facility, must comply with any **Mask Requirement**
9. 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 whilst being transported outside a corrective services facility;
10. the following QCS policies will apply to all corrective services facilities:
- a. 'Managing Prisoner Receptions'
  - b. 'Managing Employee Health Risks to COVID-19'; and
  - c. 'Managing Vulnerable Prisoners';
11. for the purposes of these directions:
- a. **Staff Member** has the meaning given in the CS Act;
  - b. A reference to the **Greater Brisbane Corrective Services Facilities**

includes 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;
  - Helena Jones Correctional Centre;
  - Southern Queensland Correctional Centre;
  - Palen Creek Correctional Centre;
  - Numinbah Correctional Centre;
  - Woodford Correctional Centre; and
  - Princess Alexandra Hospital Secure Unit.
- c. a reference to **Greater Brisbane** includes the following Local Government Areas: City of Brisbane, City of Ipswich, Logan City, Moreton Bay Region and Redland City;
- d. 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;
- e. the **Restrictions Directions** are the Restrictions for Impacted Areas Direction No.3 and the Restrictions for Queensland Direction, both made by the Chief Health Officer pursuant to section 362B of the *Public Health Act 2005*;
- f. a **Mask Requirement** includes:
- i. the requirement to carry a face mask at all times when outside the home;
  - ii. the requirement to wear a face mask within a corrective services facility, whether in an indoors or outdoors location, if physical distancing of 1.5 metres between the Staff Member or visitor and another person cannot be maintained;
  - iii. the requirements regarding the wearing of face masks set out in the Restrictions Directions (while in force); and
  - iv. and any other requirement published on the Queensland Health website or directed by Queensland Health.

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 on 12:00am 1 April 2021, revoking and replacing the previous directions made by me pursuant to sections 263(2) and 268(4) of the CS Act on

30 March 2021. These directions will remain in place until revoked or replaced by me.

A handwritten signature in blue ink, appearing to read 'Peter Martin', is positioned above a horizontal dashed line.

Peter Martin APM

Commissioner, Queensland Corrective Services

31 March 2021