

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, 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.

On 3 July 2021, the Queensland Chief Health officer issued the public health direction known as Restrictions for Impacted Areas Direction No. 8 (the **Impacted Areas Direction**) pursuant to section 362B of the *Public Health Act 2005* to assist in containing, or responding to, the spread of COVID-19 within the community.

On 6 July 2021, in light of the Impacted Areas Direction and the continued risk of community transmission of COVID 19, and in accordance with recommendations received from Queensland Health, I decided it was 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, except for Lotus Glen Correctional Centre and Capricornia Correctional Centre, pursuant to section 157(1A) of the *Corrective Services Act 2006* (**CS Act**) (**Suspension Decision**).

The Suspension Decision took effect from 1:00am, 7 July 2021, and remains in place until further notice, for a period of up to one year.

I direct that while the Declaration is in force:

1. 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;
2. any other person who is not a **staff member** and who was:
- a. in a **COVID-19 hotspot** or an **interstate exposure venue** will not be allowed to enter a corrective services facility unless and until 14 days have passed since they were at the **COVID-19 hotspot** or **interstate exposure venue**;
 - b. in an **interstate area or place of concern** will not be allowed to enter a corrective services facility if they have been in the **interstate area or place of concern** in the 14 days prior or since the start date identified for the **interstate area of concern**, whichever period is shorter, unless they have obtained a negative COVID-19 test result in Queensland prior to entering the corrective services facility (and have not been issued a quarantine order by Queensland Health) and they are entering for one of the following purposes:
 - i. providing goods and services which are essential for the effective operation of the corrective services facility;
 - ii. providing health services;
 - iii. emergency management, law enforcement or the exercise of a power or function of a government agency or entity under a law; or
 - iv. an end of life visit for a prisoner;
 - c. in a **named location** or identified as a **close contact**, must provide evidence that they have complied with all Queensland Health directions in relation to testing for COVID-19, self-isolation and quarantine requirements and have been cleared by Queensland Health before entering a corrective services facility;
3. 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**;
4. masks are mandatory for all prisoners in all corrective services facilities, except for Lotus Glen Correctional Centre and Capricornia Correctional Centre, when they are outside of their secure unit or residential compound;
5. 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);
6. the following QCS policies will apply to all corrective services facilities:
- a. 'Managing 'at risk' employees; and
 - b. 'Managing Vulnerable Prisoners'
7. 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. a **mask requirement** includes:
 - i. for staff members and visitors attending any corrective services facility other than Capricornia Correctional Centre or Lotus Glen Correctional Centre – wearing a face mask within the corrective services facility at all times;
 - ii. for staff members and visitors attending Capricornia Correctional Centre or Lotus Glen Correctional Centre—wearing a face mask within the corrective services facility where social distancing is not possible; and
 - iii. 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 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 from signing, revoking and replacing the previous directions made by me pursuant to sections 263(2) and 268(4) of the CS Act on 7 July 2021. These directions will remain in place until revoked or replaced by me.

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

Paul Stewart APM
Commissioner, Queensland Corrective Services

8 July 2021