

DIRECTIONS WHILE DECLARATION OF EMERGENCY DATED 21 DECEMBER 2020 IS IN FORCE

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

On 21 December 2020, 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 January 2021 and expiring at 11:59pm on 31 March 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 18 December 2020, I made a decision pursuant to section 157(1A) of the *Corrective Services Act 2006* (**CSA**) to suspend all visitor access approvals for personal visitors to all corrective services facilities who had visited the Northern Beaches Local Government Area of Sydney within the preceding 14 days or since 11 December 2020, whichever period was shorter (**Suspension Decision**). That decision was to remain in place until further notice, for a period of one year from 18 December 2020.

On 23 December 2020, I made a decision to extend the Suspension Decision to include the suspension of all visitor access approvals for all personal visitors to all corrective services facilities who had been in the Greater Sydney area within the preceding 14 days or since the area was declared as a hotspot, whichever period was shorter (the **Amended Suspension Decision**). That decision was to remain in place until further notice, for a period of one year from 23 December 2020.

On 3 January 2021, following a request from the Queensland Chief Health Officer and consultation with Queensland Health and the State Health Emergency Coordination Centre, I made a decision to extend the Amended Suspension Decision to include the suspension of access for all personal visitor access approvals for all personal visitors to all corrective services facilities who had been in Victoria within the preceding 14 days or since 21 December 2020, whichever period was shorter (**Further Amended Suspension Decision**). The Further Amended Suspension Decision took effect from 12:01am on 4 January 2021 and was to remain in place until further notice, for a period of up to one year.

On 6 January 2021 the Chief Health Officer confirmed that a person from New South Wales who had tested positive to COVID-19 had transited through Orange, Nyngan and Broken Hill between 2-3 January 2021. The Chief Health Officer issued an alert calling for all people in Queensland who had been in Orange, Nyngan and Broken Hill on those dates to be tested for COVID-19.

Today the Chief Health Officer has confirmed that a person in South East Queensland has tested positive for the UK strain of COVID-19. According to the press release given by the Chief Health Officer today, the UK strain is 70 percent more infectious than other strains.

The Chief Health Officer has issued an alert calling for all people in Queensland who visited the **Named Locations** to be tested for COVID-19.

Further, in light of the positive diagnosis today, and the high risks to a vulnerable prison population if COVID-19 were to enter a corrective services facility, the Chief Health Officer has requested that swift action be taken to restrict access to corrective services facilities within Southern Queensland to staff and only essential visitors approved by me.

Following the request of the Chief Health Officer, and consultation with Queensland Health and the State Health Emergency Coordination Centre, and in recognition of the

fact that the safety and welfare of all prisoners and staff are paramount considerations for QCS, I direct as follows:

1. the Further Amended Suspension Decision is revoked in its entirety;
2. I have made a decision pursuant to section 157(1) of the CSA to suspend all visitor access approvals for personal visitors to each **Stage 3 corrective services facility** (the **Stage 3 Personal Visit Suspension Decision**);
3. I have made a decision pursuant to section 157(1) of the CSA to suspend visitor access approvals for any personal visitor to each **Northern corrective services facility** who has been in:
 - a. the Northern Beaches Local Government Area of Sydney within the preceding 14 days or since 11 December 2020, whichever period was shorter; or
 - b. the **Greater Sydney Area** within the preceding 14 days or since the area was declared a hotspot, whichever period was shorter; or
 - c. Orange, Nyngan and Broken Hill between 2-3 January 2021; or
 - d. Victoria in the preceding 14 days or since 21 December 2020, whichever period is shorter(the **Northern Corrective Services Facilities Personal Visit Suspension Decision**);
4. in reaching the Stage 3 Personal Visit Suspension Decision and the Northern Corrective Services Facilities Personal Visit Suspension Decision I have considered:
 - a. the effect of a proposed suspension on a child for whom approval has been given to accompany the visitor; and
 - b. whether the child may, unaccompanied by an adult, visit the prisoner. I consider that, in light of the current COVID-19 health emergency, the entry of any person, including children, could potentially put corrective services facilities at risk;
5. the Stage 3 Personal Visit Suspension Decision and the Northern Corrective Services Facilities Personal Visit Suspension Decision will remain in place until further notice, for a period of up to one year;
6. in addition to the suspension of access approvals for personal visitors under the Stage 3 Personal Visit Suspension Decision and the Northern Corrective Services Facilities Personal Visit Suspension Decision, and under section 263(2) and section 268(4) of the CS Act, all visitor access to a **Stage 3 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;
7. the only QCS staff that may attend the Queensland Corrective Services Academy

(the **Academy**) or the Wacol location of the Escort and Security Branch (**ESB**) are those for whom these locations are their normal place of work, no other QCS staff or visitors may attend unless approved by me;

8. any staff member (as defined in the CSA) who:

- a. has been in Victoria in the preceding 14 days or since 21 December 2020, whichever period is shorter; or
- b. was in Orange, Nyngan and Broken Hill between 2-3 January 2021; or
- c. was in a Named Location,

must:

- i. 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);
 - ii. undergo a test for COVID-19; and
 - iii. 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;
9. the wearing of face masks as approved personal protective equipment is mandatory for all staff when they are in contact with a prisoner who has COVID-19 symptoms, as directed by Queensland Health personnel, including when staff are escorting a symptomatic prisoner within a corrective services facility and for ESB staff whilst transporting a symptomatic prisoner outside a corrective services facility;
10. 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 by the ESB;
11. the 'Managing new admission reception prisoners and COVID-19 isolation' policy will apply to all Northern Corrective Services Facilities;
12. the 'Managing Prisoner Receptions' policy will apply to all Stage 3 Corrective Services Facilities;
13. the following QCS policies will apply to all corrective services facilities:
- a. 'Managing Employee Health Risks to COVID-19'; and
 - b. 'Managing Vulnerable Prisoners';
14. for the purposes of these directions:
- a. Each of the following is a **Stage 3 corrective services facility**:
 - 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.
- b. Each of the following is a **Northern corrective services facility**:
- Maryborough Correctional Centre;
 - Capricornia Correctional Centre;
 - Townsville Correctional Centre;
 - Lotus Glen Correctional Centre.
- c. Each of the following places, provided a person was there during the stipulated time, is a **Named Location**:

<u>Place</u>	<u>Time period</u>
Train from Altandi station to Roma Street station	Saturday 2 January, 7am
Train from Central Station to Altandi station	Saturday 2 January, 4pm
Woolworths Calamvale North	Sunday 3 January, 11am-12noon
Coles Sunnybank Hills	Tuesday 5 January, 7.30-8am
Nextra Newsagent, Sunnybank Hills Shopping Town	Tuesday 5 January, 8-8.15am;

- d. Each of the following Local Government Areas forms part of the **Greater Sydney Area**: Bayside, Blacktown, Blue Mountains, Burwood, Camden, Campbelltown, Canada Bay, Canterbury-Bankstown, Central Coast, City of Sydney, Cumberland, Fairfield, Georges River, Hawkesbury, Hornsby, Hunter's Hill, Inner West, Ku-ring-gai, Lane Cove, Liverpool, Mosman, North Sydney, Northern Beaches, Parramatta, Penrith, Randwick, Ryde, Strathfield, Sutherland, The Hills, Waverley, Willoughby, Wollondilly, Wollongong, Woollahra and Sydney Harbour (unincorporated).

These directions are made pursuant to sections 263(2), 264 and 268(4) of the *Corrective Services Act* (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 take effect at 12:01 am on 8 January 2021, revoking and replacing the previous directions made by me pursuant to sections 263(2) and 268(4) of the CS Act on 3 January 2021. These directions will remain in place until revoked or replaced by me.



Peter Martin APM

Commissioner, Queensland Corrective Services

7 January 2021