

DIRECTIONS WHILE DECLARATION OF EMERGENCY DATED 22 SEPTEMBER 2022 IS IN FORCE

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

On 22 September 2022, I, Paul Stewart, 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 23 September 2022 and expiring at 11:59pm on 31 October 2022 (the **Declaration**).

The Declaration aligns with information provided by Queensland Health to assist in responding to COVID-19 within corrective services facilities.

In accordance with ongoing advice from 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 is a **diagnosed person** or is 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); and
 - b. comply with all directions given by their direct supervisor and Queensland Health including in relation to the following (where applicable):
 - i. the wearing of face masks;
 - ii. isolation or quarantine requirements in accordance with the Chief Health Officer's public health directions; and
 - iii. testing for COVID-19 in accordance with the Chief Health Officer's public health directions.
2. any other person who is not a **staff member** and who was 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 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. all prisoners in a corrective services facility must wear a surgical face mask:
 - a. when outside of their secure unit or residential compound unless engaged in strenuous physical exercise. Where a prisoner has removed their mask for the purposes of engaging in strenuous physical exercise, the prisoner must resume wearing a mask as soon as practicable after they cease exercising strenuously;
 - b. when outside of their cell if the prisoner is a **diagnosed** person; and
 - c. when outside of their cell if the prisoner is being isolated or quarantined for COVID-19 on the advice of Queensland Health.
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 (Standard Response) policy'; or
 - b. 'Managing prisoner receptions, transfers, discharges and releases during COVID-19 restricted operations' (this applies to any corrective services facility in Elevated Pandemic Response);
6. the following QCS policies will apply to all corrective services facilities:
- a. 'Managing At Risk Employees';
 - b. 'Managing Prisoners at Risk of Serious Illness from COVID-19';
 - c. 'COVID-19 Plan: Entry Requirements for Visitors to a Corrective Services Facility'
 - d. 'Use of Personal Protective Equipment (PPE)'; and
 - e. 'Management of Prisoners diagnosed with or suspected of having COVID-19'
7. for the purposes of these directions:
- a. **staff member** has the meaning given in the CS Act;
 - b. a **close contact** has the meaning given by the Chief Health Officer and published on the Queensland Health website and means a person who is a **household member** or a **household-like contact** of a diagnosed person on the **COVID-19 test date**:
 - i. a **household member** means a person who ordinarily resides at the same premises as the diagnosed person.
 - ii. a **household-like contact** is a person who has spent more than four hours indoors with the diagnosed person in a home or other residential setting, such as a residential aged care facility, disability accommodation or similar setting, unless:
 - a. the person has been in a separate part of the premises using a separate point of entry; and
 - b. any use of shared or common areas of the premises also used by the diagnosed person has been for a period of less than four hours; and
 - c. any contact or interaction with the diagnosed person was for less than four hours duration.
 - c. a **diagnosed person** has the meaning given by the Chief Health Officer and published on the Queensland Health website and means an individual who has within the previous 10 days received a positive COVID-19 test result, or who has been otherwise informed that they have been diagnosed as having COVID-19 and is in the isolation period or the post isolation period.
 - d. a **mask requirement** includes:
 - i. for staff members, contractors and students undertaking a work placement attending a Corrective Services Facility, face masks are to be worn at all times when in an indoor space unless:
 - A. they are in a space that is not co-located with anyone other than staff members, contractors, or students (i.e. no prisoners or other people are in that space); and
 - B. they are seated or standing at a workstation or table; and

- C. they can maintain physical distancing from other staff members, contractors, or students.
- ii. for visitors attending a Corrective Services Facility, face masks are to be worn at all times when in an indoor space.
- iii. for staff and visitors to other QCS locations not covered by this direction - any requirement published on the Queensland Health website or as 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 reasonable and demonstrably justifiable.

These directions take effect at 12:00am on 23 September 2022, revoking and replacing the previous directions titled *Directions while Declaration of Emergency dated 24 June 2022 is in Force* made by me pursuant to sections 263(2) and 268(4) of the CS Act on 24 June 2022.

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



Paul Stewart
Commissioner, Queensland Corrective Services

21 September 2022