



Corrective Services Act 2006 (s. 276(2)(c))

INSTRUMENT OF LIMITATION OF CORRECTIVE SERVICES OFFICERS' POWERS

SHORT TITLE

This instrument may be cited as the Instrument of Limitation of Corrective Services Officers' Powers

SCOPE OF LIMITATION

Under section 276(2)(c) of the *Corrective Services Act 2006* the chief executive may limit the powers of a corrective services officer by a written notice given by the chief executive to the officer.

This instrument applies to powers vested in corrective services officers of the Queensland Corrective Services by the—

1. *Corrective Services Act 2006*
2. *Dangerous Prisoners (Sexual Offenders) Act 2003*
3. *Mental Health Act 2016*
4. Traffic Regulation 1962

The power vested in a corrective service officer by each section of each Act or Regulation stated above in the attached schedules numbered 1, 2, 3 and 4 may only be exercised by a corrective services officer as set out in the attached schedules and in accordance with any additional limitation stated.

For the purpose of this Instrument of Limitations:

"Deputy Commissioner" means Deputy Commissioner, Statewide Operations.

"General Manager of a corrective services facility" means for SERCO Australia Pty Ltd (Southern Queensland Correctional Centre) – Director.

"Deputy General Manager of a corrective services facility" means: for SERCO Australia Pty Ltd (Southern Queensland Correctional Centre) – Deputy Director; and for The GEO Group Australia Pty Ltd (Arthur Gorrie Correctional Centre) – Contract Compliance Manager and Prisoner Development Manager.

"Manager of a corrective services facility" means: for SERCO Australia Pty Ltd (Southern Queensland Correctional Centre) – Assistant Director, Security and Operations; Assistant Director, Prisoner Management and Prisoner Services; Assistant Director, Business Services; and Assistant Director, Human Resources.

DATE OF EFFECT

The commencement date of this Instrument of Limitation of Corrective Services Officers' Powers is 21st day of December 2017. This document revokes all former instruments of limitations in relation to the same powers or functions which are covered by this Instrument of Limitation.

Dated at Brisbane this 21st day of December 2017.



Peter Martin APM
Commissioner
Queensland Corrective Services

SCHEDULE 1

Corrective Services Act 2006 (CSA)

CSA Section and Heading	Powers Limited To	Limits and Conditions
9(1) Authority for admission to corrective services facility	Deputy Commissioner General Manager, Custodial Operations General Manager of a corrective services facility Deputy General Manager of a corrective services facility Accommodation Manager Centre Services Manager Manager/Duty Manager in a corrective services facility Correctional Supervisor Custodial Corrective Services Officer	
10(2) Record of prisoner's details	Deputy Commissioner General Manager, Custodial Operations General Manager of a corrective services facility Deputy General Manager of a corrective services facility Accommodation Manager Centre Services Manager Manager/Duty Manager in a corrective services facility Correctional Supervisor Custodial Corrective Services Officer General Manager, Probation and Parole Operations Regional Manager, Probation and Parole Director, Operations – Probation and Parole District Manager Probation and Parole Officer Police officers attached to the QCS Intelligence Group Police officers attached to the Corrective Services Investigation Unit Manager Intelligence Intelligence Advisor/ Officer	
33(2) Power to search	Deputy Commissioner General Manager, Custodial Operations General Manager of a corrective services facility Deputy General Manager of a corrective services facility Accommodation Manager Centre Services Manager Manager/Duty Manager in a corrective services facility Correctional Supervisor Custodial Corrective Services Officer Manager Intelligence Intelligence Advisor/ Officer Dog Squad Supervisor Dog Squad Handler Police officers attached to the QCS Intelligence Group Police officers attached to the Corrective Services Investigation Unit	
33(2) Power to search	Staff Training Coordinator Senior Trainer Adviser Correctional Practices Competency Assessment Services Training Officer Custodial Operations Principal Advisor Operational Training Manager State Dog Squad Development and Standards Dog Trainer Drug Detection Dog Dog Trainer General Purpose Dog	Delegation must only be exercised once the delegate has been issued a Certificate III in Correctional Practice - Custodial.

CSA Section and Heading	Powers Limited To	Limits and Conditions
68(3) Transfer to another corrective services facility or a health institution	Deputy Commissioner General Manager, Custodial Operations General Manager of a corrective services facility Accommodation Manager Centre Services Manager Manager/Duty Manager in a corrective services facility Correctional Supervisor Custodial Corrective Services Officer Staff Training Coordinator Senior Trainer Adviser Correctional Practices Competency Assessment Services Training Officer Custodial Operations Principal Adviser Operational Training Manager State Dog Squad Development and Standards Dog Trainer Drug Detection Dog Dog Trainer General Purpose Dog	Delegation must only be exercised once the delegate has been issued a Certificate III in Correctional Practice - Custodial.
82(2) Leave for other particular prisoners	Deputy Commissioner General Manager, Custodial Operations General Manager of a corrective services facility Deputy General Manager of a corrective services facility Accommodation Manager Centre Services Manager Manager/Duty Manager in a corrective services facility Correctional Supervisor Custodial Corrective Services Officer	
	Staff Training Coordinator Senior Trainer Adviser Correctional Practices Competency Assessment Services Training Officer Custodial Operations Principal Adviser Operational Training Manager State Dog Squad Development and Standards Dog Trainer Drug Detection Dog Dog Trainer General Purpose Dog	Delegation must only be exercised once the delegate has been issued a Certificate III in Correctional Practice - Custodial.

CSA Section and Heading	Powers Limited To	Limits and Conditions
112(1)(a) Arresting prisoner unlawfully at large	Deputy Commissioner General Manager, Custodial Operations General Manager of a corrective services facility Deputy General Manager of a corrective services facility Accommodation Manager Centre Services Manager Manager/Duty Manager in a corrective services facility Correctional Supervisor Custodial Corrective Services Officer General Manager, Probation and Parole Operations Regional Manager, Probation and Parole Director, Operations – Probation and Parole District Manager Probation and Parole Supervisor Probation and Parole Officer Dog Squad Supervisor Dog Squad Handler Director, Intelligence and Investigations Branch Manager Intelligence Intelligence Advisor/ Officer Police officers attached to QCS Intelligence Group Police officers attached to the Corrective Services Investigation Unit	
	Staff Training Coordinator Senior Trainer Adviser Correctional Practices Competency Assessment Services Training Officer Custodial Operations Principal Adviser Operational Training Manager State Dog Squad Development and Standards Dog Trainer Drug Detection Dog Dog Trainer General Purpose Dog	Delegation must only be exercised once the delegate has been issued a Certificate III in Correctional Practice - Custodial.
112(1)(b) Arresting prisoner unlawfully at large	Deputy Commissioner General Manager, Custodial Operations General Manager of a corrective services facility Deputy General Manager of a corrective services facility Accommodation Manager Centre Services Manager Manager/Duty Manager in a corrective services facility Correctional Supervisor Custodial Corrective Services Officer General Manager, Probation and Parole Operations Regional Manager, Probation and Parole Director, Operations – Probation and Parole District Manager Regional Manager, Sentence Management Assistant Manager, Sentence Management Manager, Sentence Administration Assistant Manager, Sentence Administration Director, Intelligence and Investigations Branch Principal Intelligence Adviser Manager, Intelligence Police officers attached to the QCS Intelligence Group Police officers attached to the Corrective Services Investigation Unit	

CSA Section and Heading	Powers Limited To	Limits and Conditions
<p>116(1) Considering whether a breach of discipline committed</p>	<p>Deputy Commissioner General Manager, Statewide Operations General Manager, Custodial Operations General Manager of a corrective services facility Deputy General Manager of a corrective services facility Accommodation Manager Centre Services Manager Manager/Duty Manager in a corrective services facility Correctional Supervisor Custodial Corrective Services Officer Manager Intelligence Intelligence Advisor/Officer</p>	<p>A Custodial Corrective Services Officer may only determine a minor breach of discipline A Correctional Supervisor may only determine a major breach of discipline if where they have—</p> <ul style="list-style-type: none"> • completed the major breach hearing accreditation training; and • approved by the General Manager or Deputy General Manager to hear major breaches.
	<p>Staff Training Coordinator Senior Trainer Adviser Correctional Practices Competency Assessment Services Training Officer Custodial Operations Principal Adviser Operational Training Manager State Dog Squad Development and Standards Dog Trainer Drug Detection Dog Dog Trainer General Purpose Dog</p>	<p>Delegation must only be exercised once the delegate has been issued a Certificate III in Correctional Practice - Custodial.</p>
<p>119(1) Review of decision</p>	<p>Deputy Commissioner General Manager, Custodial Operations General Manager of a corrective services facility Deputy General Manager of a corrective services facility Accommodation Manager Centre Services Manager Manager/Duty Manager in a corrective services facility Manager in a corrective services facility Correctional Supervisor Manager Intelligence Intelligence Advisor/Officer</p>	<p>A Correctional Supervisor may only review a minor breach of discipline decision. The Correctional Supervisor must have —</p> <ul style="list-style-type: none"> • completed the major breach hearing accreditation training; and • approved by the General Manager or Deputy General Manager to hear major breaches.

CSA Section and Heading	Powers Limited To	Limits and Conditions
135(2) Person near prisoner	Deputy Commissioner General Manager, Custodial Operations General Manager of a corrective services facility Deputy General Manager of a corrective services facility Accommodation Manager Centre Services Manager Manager/Duty Manager in a corrective services facility Correctional Supervisor Custodial Corrective Services Officer Director, Intelligence and Investigations Branch Manager Intelligence Intelligence Advisor/Officer General Manager, Probation and Parole Operations Regional Manager, Probation and Parole Director, Operations – Probation and Parole District Manager Probation and Parole Supervisor Probation and Parole Officer Dog Squad Supervisor Dog Squad Handler Field Supervisor	
136(2) and (3) Temporary detention for security offence	Deputy Commissioner General Manager, Custodial Operations General Manager of a corrective services facility Deputy General Manager of a corrective services facility Accommodation Manager Centre Services Manager Manager/Duty Manager in a corrective services facility Correctional Supervisor Custodial Corrective Services Officer Manager Intelligence Intelligence Advisor/Officer Dog Squad Supervisor Dog Squad Handler Police officers attached to the QCS Intelligence Group Police officers attached to the Corrective Services Investigation Unit	Delegation must only be exercised once the delegate has been issued a Certificate III in Correctional Practice - Custodial.
	Staff Training Coordinator Senior Trainer Adviser Correctional Practices Competency Assessment Services Training Officer Custodial Operations Principal Adviser Operational Training Manager State Dog Squad Development and Standards Dog Trainer Drug Detection Dog Dog Trainer General Purpose Dog	Delegation must only be exercised once the delegate has been issued a Certificate III in Correctional Practice - Custodial.

CSA Section and Heading	Powers Limited To	Limits and Conditions
<p>137 Power to require name and address</p>	<p>Deputy Commissioner General Manager, Custodial Operations General Manager of a corrective services facility Deputy General Manager of a corrective services facility Accommodation Manager Centre Services Manager Manager/Duty Manager in a corrective services facility Correctional Supervisor Custodial Corrective Services Officer Director, Intelligence and Investigations Branch Manager Intelligence Intelligence Advisor/Officer General Manager, Probation and Parole Operations Regional Manager, Probation and Parole Director, Operations – Probation and Parole District Manager Probation and Parole Supervisor Probation and Parole Officer Dog Squad Supervisor Dog Squad Handler Corrective Services Officer - QCSIG Executive Director, Ethical Standards Unit Police officers attached to the QCS Intelligence Group Police officers attached to the Corrective Services Investigation Unit</p>	
	<p>Staff Training Coordinator Senior Trainer Adviser Correctional Practices Competency Assessment Services Training Officer Custodial Operations Principal Adviser Operational Training Manager State Dog Squad Development and Standards Dog Trainer Drug Detection Dog Dog Trainer General Purpose Dog</p>	<p>Delegation must only be exercised once the delegate has been issued a Certificate III in Correctional Practice - Custodial.</p>
<p>138(1) Seizing property</p>	<p>Deputy Commissioner General Manager, Custodial Operations General Manager of a corrective services facility Deputy General Manager of a corrective services facility Accommodation Manager Centre Services Manager Manager/Duty Manager in a corrective services facility Correctional Supervisor Custodial Corrective Services Officer Manager Intelligence Intelligence Advisor/Officer Stores Officer/Supervisor General Manager, Probation and Parole Operations Regional Manager, Probation and Parole Director, Operations – Probation and Parole District Manager Probation and Parole Supervisor Probation and Parole Officer Dog Squad Supervisor Dog Squad Handler Executive Director, Ethical Standards Unit Police officers attached to the QCS Intelligence Group Police officers attached to the Corrective Services Investigation Unit</p>	

CSA Section and Heading	Powers Limited To	Limits and Conditions
	Staff Training Coordinator Senior Trainer Adviser Correctional Practices Competency Assessment Services Training Officer Custodial Operations Principal Adviser Operational Training Manager State Dog Squad Development and Standards Dog Trainer Drug Detection Dog Dog Trainer General Purpose Dog	Delegation must only be exercised once the delegate has been issued a Certificate III in Correctional Practice - Custodial.
143(1) Authority to use reasonable force	Deputy Commissioner General Manager, Custodial Operations General Manager of a corrective services facility Deputy General Manager of a corrective services facility Accommodation Manager Centre Services Manager Manager/Duty Manager in a corrective services facility Correctional Supervisor Custodial Corrective Services Officer Custodial Corrective Services Officer Dog Squad Supervisor Dog Squad Handler Director, Intelligence and Investigations Branch Manager, Intelligence Intelligence Advisor/Officer Police officers attached to the QCS Intelligence Group Police officers attached to the Corrective Services Investigation Unit General Manager, Escort and Security Branch Manager, Escort and PAHSU Manager, Courts	
	Staff Training Coordinator Senior Trainer Adviser Correctional Practices Competency Assessment Services Training Officer Custodial Operations Principal Adviser Operational Training Manager State Dog Squad Development and Standards Dog Trainer Drug Detection Dog Dog Trainer General Purpose Dog	Delegation must only be exercised once the delegate has been issued a Certificate III in Correctional Practice - Custodial.
154(4) Contact during personal visit	Deputy Commissioner General Manager, Custodial Operations General Manager of a corrective services facility Deputy General Manager of a corrective services facility Accommodation Manager Centre Services Manager Manager/Duty Manager in a corrective services facility Correctional Supervisor Custodial Corrective Services Officer Director, Intelligence and Investigations Branch Manager Intelligence Intelligence Advisor/Officer Police officers attached to the QCS Intelligence Group Police officers attached to the Corrective Services Investigation Unit	

CSA Section and Heading	Powers Limited To	Limits and Conditions
	Staff Training Coordinator Senior Trainer Adviser Correctional Practices Competency Assessment Services Training Officer Custodial Operations Principal Adviser Operational Training Manager State Dog Squad Development and Standards Dog Trainer Drug Detection Dog Dog Trainer General Purpose Dog	Delegation must only be exercised once the delegate has been issued a Certificate III in Correctional Practice - Custodial.
200A (2) (a) Directions to prisoners subject to parole	Deputy Commissioner General Manager, Custodial Operations General Manager of a corrective services facility General Manager, Probation and Parole Operations Regional Manager, Probation and Parole Director, Operations – Probation and Parole District Manager	
200A (2) (b) and (c) Directions to prisoners subject to parole	Deputy Commissioner General Manager, Custodial Operations General Manager of a corrective services facility General Manager, Probation and Parole Operations Regional Manager, Probation and Parole Director, Operations – Probation and Parole	
348 Execution of warrant by corrective services officer	Deputy Commissioner General Manager, Custodial Operations General Manager, Probation and Parole Operations Regional Manager, Probation and Parole Director, Operations – Probation and Parole District Manager General Manager of a corrective services facility Deputy General Manager of a corrective services facility Accommodation Manager Centre Services Manager Manager/Duty Manager in a corrective services facility Correctional Supervisor Custodial Corrective Services Officer Manager Intelligence Intelligence Advisor/Officer Probation and Parole Supervisor Probation and Parole Officer Dog Squad Supervisor Dog Squad Handler	
	Staff Training Coordinator Senior Trainer Adviser Correctional Practices Competency Assessment Services Training Officer Custodial Operations Principal Adviser Operational Training Manager State Dog Squad Development and Standards Dog Trainer Drug Detection Dog Dog Trainer General Purpose Dog	Delegation must only be exercised once the delegate has been issued a Certificate III in Correctional Practice - Custodial.

SCHEDULE 2

Dangerous Prisoners (Sexual Offenders) Act 2003 (DPSOA)

DPSOA Section and Heading	Powers Limited To	Conditions
16(1)(e) Conditions of supervised release	Deputy Commissioner General Manager, Probation and Parole Operations	
16(2) Conditions of supervised release	Deputy Commissioner General Manager, Probation and Parole Operations Director, High Risk Offender Management Unit Regional Manager, Probation and Parole Director, Operations – Probation and Parole	Decisions regarding permanent changes to curfew may only be made by the General Manager, Probation and Parole Operations, Director, High Risk Offender Management Unit, Director, Operations – Probation and Parole or Regional Manager, Probation and Parole.
16A Curfew and Monitoring Directions	Deputy Commissioner General Manager, Probation and Parole Operations	Decisions to apply or remove monitoring and curfew requirements may only be made by the Deputy Commissioner or General Manager, Probation and Parole Operations.
16A(2)(a) Curfew and Monitoring Directions	Deputy Commissioner General Manager, Probation and Parole Operations Regional Manager, Probation and Parole Director, Operations – Probation and Parole Director, High Risk Offender Management Unit Manager, High Risk Offender Management Unit District Manager	
	Probation and Parole Supervisor	For approving authorised absences or emergent risk mitigation.
	Corrective Services Officer	For approving authorised absences or emergent risk mitigation.
20(2) Warrant for released prisoner suspected of contravening a supervision order or interim supervision order	Deputy Commissioner General Manager, Probation and Parole Operations	
	Director, High Risk Offender Management Unit Regional Manager, Probation and Parole Director, Operations – Probation and Parole District Manager Manager, High Risk Offender Management Unit Probation and Parole Supervisor Any other Corrective Services Officer (see Condition)	After a decision to apply for a warrant under s20 has been made by the Deputy Commissioner or General Manager, Probation and Parole Operations

SCHEDULE 3

Mental Health Act 2016 (MHA)

MHA Section and Heading	Powers Limited To	Conditions
S359(2) Who is an authorised person	Deputy Commissioner General Manager, Custodial Operations General Manager of a corrective services facility Accommodation Manager Centre Services Manager Manager/Duty Manager in a corrective services facility Correctional Supervisor Custodial Corrective Services Officer	

SCHEDULE 4

Traffic Regulation 1962 (TR)

TR Section and Heading	Powers Limited To
171(2) Prescribed persons for training programs	Deputy Commissioner General Manager, Custodial Operations General Manager, Probation and Parole Operations Regional Manager, Probation and Parole Director, Operations – Probation and Parole District Manager Probation and Parole Supervisor Probation and Parole Officer