



Custodial Operations Practice Directive

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1. Human Rights

It is unlawful for corrective services officers and QCS staff to act or make decisions in a way that is not compatible with human rights, or in making a decision, fail to give proper consideration to a human right relevant to the decision.

Giving proper consideration to human rights entails identifying human rights which may be relevant to a decision and considering whether the decision would be compatible with human rights.

A decision will be compatible with human rights when it does not limit a human right, or only limits a right to the extent that is reasonable and demonstrably justifiable.

The purpose of this practice directive is to facilitate the provision of education and vocational opportunities to prisoners in corrective services facilities.

Human rights that may be relevant include:

- a) the right to education; and
- b) the right to humane treatment when deprived of liberty.

2. Limitation of Human Rights

In determining whether a limitation may be reasonable and demonstrably justified, the following factors are relevant to consider:

- a) The nature of the human right - this involves looking at the purpose and underlying value of the human right. For example, the right to education – every person has the right to have access, based on the person's abilities, to further vocational education and training that is equally accessible to all.
- b) The nature and purpose of the limitation and the relationship between the limitation and its purpose – this involves considering the actual purpose or legitimate aim/reason for limiting the human right. For example, this policy document limits the right to education in some circumstances.
- c) The relationship between the limitation and its purpose – this involves considering the rational connection between the limitation of the right, and whether this will help to achieve said purpose or legitimate aim. For example, in some circumstances education opportunities may be limited for prisoners to ensure the good order of the corrective services facility.
- d) Whether there are any less restrictive and reasonably available ways to achieve the purpose – this involves a 'necessity analysis' where it is necessary to consider the purpose of the limitation and if it can be achieved in any other way. For example, is there another way to achieve the purpose of facilitating education in a least restrictive way. The limitation on human rights is mitigated in this policy as it may help ensure prisoners are able to gain qualifications that will assist in their reintegration into the community and help safeguard the community as it may help reduce the risk of reoffending.
- e) The importance between the purpose for the limitation and preserving the human right – this involves a balancing exercise of the benefits obtained by the limitation vs. the harm caused to the human right. The greater the incursion of the right, the more important the purpose will need to be to justify the limitation. For example, does the importance of reducing re-offending outweigh the limitation on education opportunities provided?





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3. Educational/Vocational Training Programs

Adult education is a rehabilitation priority and is available at all corrective services facilities.

Programs of education and vocational training must be designed, delivered and assessed to national accredited standards leading to qualifications that are nationally recognised in accordance with the Australian Qualifications Framework (AQF).

Access to the following categories of education programs must be provided to prisoners in corrective services facilities:

- a) literacy and numeracy;
- b) secondary education or its equivalent;
- c) vocational education and training (VET); and
- d) tertiary education.

3.1 Screening and assessment

Prisoners should be placed into education and vocational programs based on assessment and identification of their education and vocational needs as identified from the Literacy and Numeracy Assessment. Refer to the Custodial Operations Practice Directive (COPD) Sentence Management: Assessment and Planning, the COPD Offender Pathways and this COPD.

3.2 Course/program participation

When accommodated at a placement centre, prisoners referred to recommended programs may be:

- a) listed for immediate program inclusion;
- b) placed on a waiting list;
- c) enrolled in an external program; and
- d) referred to a staff member responsible for allocating employment within the corrective services facility in accordance with established vocational needs.

Prisoners must be referred to education programs in accordance with recommendations contained within their Progression Plan where available. Refer to the COPD Sentence Management: Assessment and Planning.

Priority for enrolment in educational and vocational training programs must be given to prisoners recommended to undertake a specific program/s as part of their Progression Plan.

3.3 Literacy and Numeracy Assessments

A Language, Literacy and Numeracy Assessment must be completed and input into IOMS for all prisoners with time in custody under sentence of six months or more, to identify any literacy and numeracy needs.

The preferred method of a Language, Literacy and Numeracy Assessment delivery is via the computer-based ACER Vocational Indicator (VI) Assessment. This assessment provides results from Pre-Level to Level 5 in both Literacy and Numeracy.



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Given the dynamic nature of corrective services facilities, an alternative paperbased ACSF Language, Literacy & Numeracy Assessment is available (for use only as a last resort due to circumstances such as operational constraints, movement issues, security control, lockdowns etc.). This assessment results in an Exit Level from Pre-Level to Level 5 combining the Language, Literacy and Numeracy tasks.

The Language, Literacy and Numeracy Assessment must be completed within three weeks of admission (following sentencing). Responsibility for this lies with the Manager, Offender Development.

3.3.1 Prisoners serving fewer than six months in custody

Prisoners serving fewer than six months of their sentence in custody may undertake this assessment if it is considered beneficial (for example, to support their enrolment in a course) and subject to resource availability.

3.3.2 Prisoners on remand

Literacy and numeracy assessments of prisoners on remand may be conducted. This should normally occur if prisoners with special learning needs are received, to support their enrolment in a course, or as other circumstances dictate should time and resources allow.

3.3.3 Prisoners on current parole suspension

Prisoners returning to custody on a parole suspension are not required to undertake a literacy and numeracy assessment. If a decision is made to suspend or cancel parole and return the prisoner to custody, those with six months or more to serve in custody can then be assessed.

3.3.4 Prisoners with a previous correctional episode

Prisoners who have undertaken the ACER VI assessment and have been returned to custody within two years are not required to undergo the assessment unless:

- a) there is evidence of an injury or other trauma that may have affected the prisoner's literacy and numeracy ability; and/or
- b) the prisoner has undertaken significant education and training during that period.

4. Distance Education

4.1 Approval for enrolment

An Administrative Form 124 Request for Approval to Participate in Distance Education must be completed by the Education/Vocational Training Officer for all prisoners intending to enrol or continue with distance education.

Approval for enrolment in distance education courses, excluding basic correspondence study (i.e. Year 10/Literacy and Numeracy) and the Tertiary Preparation Program facilitated by the University of Southern Queensland (UniSQ) must be provided by the Chief Superintendent or delegate of the corrective services facility before a prisoner confirms enrolment.

All prisoners have a legislative right to access education in accordance with section 36 of the *Human Rights Act 2019*. However, applications for distance education study will be considered individually in accordance with the factors listed below:

- a) the prisoner's right to access education;
- b) the ability of the corrective services facility to operationally support the prisoner based on the degree of assistance required;





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- c) any limits to access imposed by a prisoner's management plan (i.e. those resulting from a Maximum Security Order (MSO), Intensive Management Plan, Safety Order or breach determination). Refer to subsection 4.2 Maximum Security Unit (MSU) prisoners – programs and education services;
- d) the suitability of the area of study given the prisoner's offending behaviour and current incarceration;
- e) the benefits to the prisoner and likelihood of gaining suitable employment or post-release full-time study;
- f) nature of corrective services facility (i.e. reception or placement facility);
- g) ability to access supportive technology (i.e. digital copies of course materials) provided by learning institutions which removes the need for an Education/Vocational Training Officer to download or source materials;
- h) whether learning activities can be safely and practicably undertaken in a correctional environment;
- i) educational qualifications already held by the prisoner;
- j) prisoners enrolled and continuing with study prior to the current approval process which commenced in January 2013; and
- k) software required and whether it can be supported by the in-cell computer program (refer to the Computer Access for Prisoners section of this COPD).

ORMS can be contacted to discuss any issues or unclear cases relating to prisoners requesting enrolment in external studies i.e. essential workers or sentenced prisoners in a remand facility.

A prisoner's participation in external education programs/courses must be recorded in IOMS under External Education Summary.

Enrolment approvals should be completed prior to the institution's cut-off dates for the commencement of the semester. The Education/Vocational Training Officer is responsible for actioning this.

4.1.1 Prisoner enrolment outside of the approval process

If a prisoner enrolls in distance education courses outside of the approval process they will be required to manage their own studies without assistance from an Education/Vocational Training Officer.

4.1.2 Brisbane Correctional Centre and Arthur Gorrie Correctional Centre

As reception centres, resulting in high turnover of prisoners, Brisbane Correctional Centre and Arthur Gorrie Correctional Centre will generally not enrol prisoners in distance education courses requiring the completion of the Administrative Form 124 Request for Approval to Participate in Distance Education. Education/Vocational Training Officers will provide career guidance and information on external correspondence studies which prisoners can pursue once at their placement centre. There may be exceptions made by the appropriate Chief Superintendent or delegate for prisoners who will be at the corrective services facility for longer periods of time (i.e. essential workers). In this circumstance the Administrative Form 124 Request for Approval to Participate in Distance Education and process must be completed.

4.2 Maximum Security Unit (MSU) prisoners – programs and education services

An MSO must specify a prisoner's access to the programs, education and counselling services to be provided in accordance with each prisoner's assessed risks, needs and behaviour as well as program/service availability.





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The MSU Management Team is to consider the prisoner's MSU Management Plan and where appropriate include interventions based on the prisoner's pathway for progression. This may also include transitions planning and activity for prisoners who are within nine months of their fulltime discharge or parole eligibility.

Prisoners may be permitted access to the day/programs room or dedicated programs rooms to facilitate self-paced learning. Prisoners may be able to take approved library or program material into the room.

Security conditions including handcuffs are conditional upon the prisoner's current behaviour and stability with consideration given to all other relevant factors. Security conditions will be determined by the Chief Superintendent or Superintendent of the corrective services facility.

Unless otherwise specified in the MSU Management Plan, a prisoner is not to physically associate with another prisoner during program delivery.

4.3 Undergraduate, graduate or post-graduate studies requiring prisoners to conduct research

The Chief Superintendent or delegate of a corrective services facility must consult with the Superintendent, Director, ORMS, Specialist Operations regarding the approval of study requests in the following instances:

- a) any external studies including undergraduate, graduate or post-graduate, which involve and/or require, or have the potential to involve and/or require, the prisoner to engage in areas of research as detailed in the QCS Research Guidelines;
- b) the Chief Superintendent or delegate is unsure whether the study and/or research may involve a risk to the safety and security of the corrective services facility;
- c) the study involves research that involves issues that may pose a risk to QCS; or
- d) the Chief Superintendent or delegate is unsure of the suitability of the field of study for the prisoner.

With the exception of requests to undertake research which is covered by the QCS Research Guidelines, the Chief Superintendent or delegate of a corrective services facility in consultation with the Superintendent, Director, ORMS, Specialist Operations must refer the prisoner's request to the Secretariat of the QCS Research and Evaluation Committee (refer to the QCS Research Guidelines), who will determine if their project needs approval from the Committee Chair or the full Committee. This includes any request for studies which requires, or has the potential to require, interaction with human subjects.

4.4 Information communication technology for study purposes

Prisoners enrolled in external studies may apply for a laptop through the QCS In-cell Computer Program. Prisoners enrolled in applicable UniSQ courses may apply for an Offline Personal Device (OPD). Refer to the Computer Access for Prisoners section of this COPD.

Learning materials included in study packages from educational institutions may include CD-ROMS and DVDs. Access to these learning materials must be facilitated by the Education/Vocational Training Officers if possible. Refer to the COPD Property: QCS Property, Tamper Labels, Electronic Equipment and Restrictions for appropriate recording and storage of CD-ROMS and DVDs.





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4.5 Continuation of enrolment

Prisoners who have been approved to study an undergraduate or postgraduate course are not required to reapply each semester if they are continuing with the course that was approved for study.

The Education/Vocational Training Officer has oversight of this process. The Chief Superintendent or delegate of a corrective services facility will be required to make a decision to continue to support the prisoner where there are changes to the course which result in an increase to the type or volume of support required from an Education/Vocational Training Officer.

5. Full-Time Students

Each secure placement centre must allocate a number of full-time student employment positions within the facility. Information regarding Incentive Payments is detailed in the COPD Prisoner Employment and Industries Management, and the Appendix IND4 Incentive Payment Streams and Rates.

Referral for participation as a full-time student may be made by:

- a) an Education/Vocational Training Officer; or
- b) the Review Panel.

A prisoner may request full-time student status directly to an Education/Vocational Training Officer.

Employment as a full-time student is subject to a prisoner meeting one or more of the following criteria:

- a) a tertiary student who is working independently but requires access to a computer or other resources and general guidance and/or tutorial assistance;
- b) a student who is enrolled in two subjects of secondary education studies;
- c) a student wishing to address a deficit in language, literacy or numeracy and requiring an individualised learning program incorporating face-to-face contact with tutors; and/or
- d) a student who is enrolled in education/VET classes and/or participation in a substantial number of hours of intervention programs.

Discretion may be exercised in relation to students who are undertaking a program of education that may not meet the criteria but is considered to be a full load for the particular student (for example, a prisoner from a non-English speaking background who speaks little or no English, a visually impaired or intellectually impaired student).

In accordance with the COPDs Prisoner Employment and Industries Management full-time students will normally commence at level one and may progressively move through to level three. Progression will be subject to suitable attendance, study commitment and assessment reports/outcomes. A full-time student may commence at a level other than level one if special circumstances exist and if in the opinion of the relevant manager this is warranted.

A structured timetable must be determined for each full-time student outlining an appropriate level of class attendance and responsibilities. This timetable should include goals for a six-month period or the duration of the program, whichever is shorter. The goals should be established with the full participation of the prisoner.

5.1 Performance reviews of full-time students

Participation as a full-time student is dependent on satisfactory progress in those programs for which approval was granted.





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Performance reviews must occur at regular intervals and at a minimum must coincide with reviews of the Progression Plan. Refer to the COPD Sentence Management: Assessment and Planning.

Performance reviews must:

- a) document class attendance if applicable;
- b) document the level of performance, progress and/or achievement of outcomes;
- c) recommend for continuation or otherwise of full-time student status; and
- d) if appropriate, set further goals for the next review period.

The performance review must be recorded in the Intervention Case Report in IOMS.

6. Cost of Participation

Except if provided free of charge by a government, institution, organisation or person, the cost of participation in education programs must be met by the prisoner. Cost of participation may include:

- a) enrolment fees;
- b) co-contribution fees;
- c) Study Assist;
- d) amenities/union fees;
- e) textbooks; and
- f) learning materials and software resources.

Corrective services facilities may enter into an agreement with a prisoner to make payment for a part of or the full cost of participation with repayment by the prisoner over an extended period of time subject to the:

- a) program being recommended in the prisoner's Progression Plan;
- b) prisoner meeting program enrolment requirements, education and/or experience prerequisites, as appropriate;
- c) satisfactory completion of previous program/s;
- d) course being accredited and the provider a recognised education organisation;
- e) prisoner having the financial capacity to meet repayment requirements;
- f) prisoner being expected to remain at the corrective services facility for the period of time required to meet repayment requirements; and
- g) payment of fees by the corrective services facility being within budgetary limits.

Prisoners that are participating in educational programs will not be required to pay for photocopying and printing of documents that directly relate to their educational course work.

Prisoners are to be encouraged to seek alternative/concessionary funding arrangements for participation in education programs including deferral, scholarships, bursaries, trusts and financial hardship concession rates.

7. Individual Assessment

Individual assessments for each education program participant must be undertaken:

- a) on completion of a certificate or competency unit/module;
- b) at six monthly intervals for ongoing programs;
- c) prior to a review of the Progression Plan;
- d) on request; and
- e) if special circumstances exist.





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Individual assessment must include at a minimum:

- a) details of attendance;
- b) results of assessment;
- c) participation/contribution; and
- d) recommendations for future programs.

An Intervention Case Report detailing progress and/or exit reports for all education programs undertaken within the period of review must be completed in IOMS and provided for a review of the Progression Plan. Failure to participate in education programs recommended in the Progression Plan must be noted (with reasons if available). A prisoner must not be penalised for failing to complete a program where:

- a) the education/vocational program is unavailable at the placement facility;
- b) the prisoner chooses not to participate in a recommended education program due to the financial cost associated with participation in that program; and
- c) a request to enrol in external studies is not approved by the Chief Superintendent, delegate or the Superintendent, Director, ORMS.

If a transfer to another corrective services facility is also under consideration, conformity with recommendations and continuity of education/vocational program enrolment should be observed where possible. Refer to the COPD Sentence Management: Classification and Placement.

8. Reporting/Statistics

Literacy/numeracy and VET programs provided through the centrally contracted competitive funding tender must be reported as determined by contractual obligation at the commencement of each new contractual period. Corrective services facilities must be notified accordingly.

Education statistics including VET, literacy and numeracy, secondary enrolments and other external education are required in accordance with various reporting requirements. In order to extract this data from Reporting Services enrolments in all categories of accredited education must be recorded in IOMS within the nominated timeframes.

Contracted service providers are required to report at the completion of each unit of competency. Education and Vocational Training Officers are to record courses on IOMS as the course commences. Contracted VET courses are to be completed in IOMS within 10 business days of the submission of completion paperwork to the provider. All records/reports are to be approved by ORMS, Specialist Operations.

For External Non-Government Service Providers, refer to the COPD Prisoner Development: Programs and Interventions.

9. Evaluation

All face-to-face education programs delivered within a facility must be evaluated for both delivery process and outcomes.

Process evaluations must occur at a facility level and will include at a minimum:

- a) quantitative outcomes of the program;
- b) facilitator assessment of the program; and
- c) participant feedback on the perceived value, structure and delivery of the program.





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11.1 Eligibility criteria for computer access for prisoners for educational/vocational purposes

A prisoner may only be granted access to an in-cell computer, UniSQ OPD or AEVET classroom computer for an approved educational or vocational program. Prisoners must be approved by the Chief Superintendent of the corrective services facility to undertake studies via distance education to be eligible for an in-cell computer or UniSQ OPD. The AEVET classroom computers may only be used to assist in the delivery of the identified learning outcomes of the approved training modules or for approved educational courses (i.e. Year 10 studies). A prisoner must be enrolled in an approved vocational training or educational course that is scheduled for delivery in the classroom. Access will only be for the duration of the scheduled vocational or educational training program. Prisoners accessing the AEVET classroom computers during their participation in approved VET or educational courses must be supervised at all times for the duration of the training.

A prisoner must not access or use a computer or peripheral device that stores official or prisoner information (i.e. a prisoner working in a store, reception or trade area of a corrective services facility must not be permitted to access or use a computer that stores official or prisoner information).

A prisoner must not use the computer to produce legal documents or personal correspondence/files. Inappropriate or pornographic information or material must not be stored on the computer.

A prisoner must have sufficient funds and demonstrated future funding in their trust account to cover the costs of weekly rental of an in-cell computer or UniSQ OPD.

11.2 Eligibility criteria for computer access for prisoners for legal purposes

A prisoner may seek approval for an in-cell computer for legal purposes by completing an Administrative Form 51 Legal Resource Centre Access. Refer to the COPD Prisoner Entitlements: Legal Resources. A prisoner does not need to have a current legal proceeding to seek approval and may apply for access for legal research purposes. Only computers purchased and approved by QCS may be provided to a prisoner. All in-cell computers provided to prisoners for legal purposes must be configured in accordance with ICS requirements.

Refer to the Appendix PD1 Administration and Handling of Computer Equipment.

11.3 In-cell computer waiting list

A waiting list of prisoners who meet the eligibility criteria for an in-cell computer must be maintained by the Education/Vocational Training Officer or other nominated officer.

12. Request for In-Cell Computer or UniSQ OPD Access

12.1 Educational/vocational purposes

To seek approval for use of in-cell computer equipment, UniSQ OPD or additional software a prisoner must complete and submit an Administrative Form 128 Request for Computer Equipment or UniSQ Offline Personal Device (OPD)/Software.

In-cell computers and UniSQ OPDs must not be approved for legal or recreational use.





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Prisoner access to in-cell computers at a work camp must be considered on a case by case basis, taking into account the prisoner's individual circumstances and if appropriate, approved by the Chief Superintendent or Superintendent of the corrective services facility.

12.2 Legal purposes

A prisoner must complete and submit an Administrative Form 130 Request for Approval of In-cell Computer for Legal Purposes to be considered for approval of an in-cell computer for legal purposes.

12.3 Approval and advice to prisoner

If approval is granted, the completed Administrative Form 128 Request for Computer Equipment or UniSQ Offline Personal Device (OPD)/Software or the Administrative Form 130 Request for Approval of In-cell Computer for Legal Purposes must be forwarded to the Education/Vocational Training Officers or other nominated officer for processing.

The approval process is to be completed by the Education/Vocational Training Officer or other nominated officer within four weeks of submitting the application. The Superintendent or nominee of a corrective services facility is responsible for the review and approval of the document.

Refer to the Queensland Corrective Services Instrument of Delegation of Chief Executive Powers Instrument.

The prisoner must be supplied with an in-cell computer or UniSQ OPD as soon as practicable following completion of the approval process.

If approval is not granted the prisoner must be informed of the reason in writing within four weeks of submitting the application. The Superintendent or nominee of the corrective services facility is responsible for completion of this duty.

12.4 Contract – in-cell computer or UniSQ OPD educational/vocational purposes

A prisoner approved for in-cell computer or UniSQ OPD access must complete the Administrative Form 131 In-cell Computer or UniSQ Offline Personal Device (OPD) Contract. This form must be processed by the Education/Vocational Training Officer or other nominated officer prior to the computer or UniSQ OPD being issued to the prisoner.

12.5 Inspect in-cell computer or UniSQ OPD

In-cell computer equipment and UniSQ OPDs must be inspected prior to issue. Any damage such as dents, scratches, scrapes must be recorded in the relevant sections of the Administrative Form 132 In-cell Computer Equipment or UniSQ Offline Personal Device (OPD) Issue/Return or the Administrative Form 133 Damage to Legal Resource Computer Equipment.

The inspection is to be completed by the Education/Vocational Training Officer or other nominated officer prior to the equipment being issued to the prisoner.

12.6 Prohibited in-cell computer equipment

A prisoner must not be in possession of or have access to:

- a) equipment that would enable an in-cell computer to be linked to another computer;
- b) a modem, facsimile card or other device that may enable direct contact with an outside source;
- c) a printer;
- d) a scanner;





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- e) a USB or SD card (the only exception to this is where the Commissioner or Deputy Commissioner, Custodial Operations has provided prior approval);
- f) equipment that would enable reception or transmission of radio/telephone frequencies;
- g) software or other computer-based equipment that is capable of recording sound except a sound board or voice recognition software necessary due to a personal disability of the prisoner;
- h) a video camera or video capture card; or
- i) a joystick, game pad or other game control device unless required for approved educational purposes.

12.7 Portable storage devices

Portable storage devices/media (including, but not limited to CD-ROMs and DVD-RWs) for use by a prisoner must be purchased using local corrective services facility arrangements, except if provided for education, program or other approved activities.

A prisoner may have possession of a maximum of two rewriteable discs and eight writeable discs and/or CD-ROMs in their cell. This allowance includes any discs used to maintain backup copies of prisoner files. Any discs or CD-ROMs in excess of 10 must be transferred to the prisoner's property store.

Discs and CD-ROMs must be:

- a) marked in a manner that clearly identifies the prisoner; and
- b) entered in the prisoner's property record.

Unauthorised data discs or CD-ROMs must be seized. Refer to sections 138-141 of the *Corrective Services Act 2006* (CSA).

The Education/Vocational Training Officer or other nominated officer is responsible issuing portable storage devices and/or installing additional software as soon as practicable following completion of the approval process.

12.8 Software

Specific approval is required for any additional software. The prisoner must complete the Administrative Form 128 Request for In-cell Computer or UniSQ Offline Personal Device (OPD)/Software. The prisoner must be informed that additional costs may be incurred at the prisoner's expense when purchasing additional software.

If approved that additional software is required by the prisoner, the Education/Vocational Training Officer or other designated officer must:

- a) confirm the requirement of the software with the educational/vocational program provider;
- b) obtain quotes from preferred suppliers; and
- c) advise the prisoner of the availability and cost of the software. The Chief Superintendent of a corrective services facility in consultation with the Superintendent, Director, Digital Service Delivery may nominate preferred suppliers.

A prisoner may nominate a preferred supplier however the Chief Superintendent of a corrective services facility is not obliged to approve a purchase from that supplier (for example, if issues of reliability, location or reputation of supplier are in doubt). Computer software for a prisoner received from outside educational sources including other corrective services facilities may be accepted subject to:

- a) the Chief Superintendent of the receiving corrective services facility granting approval for the software; and





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At the time of approval for an in-cell computer any approved additional software required by a prisoner must be installed by the designated officer at the corrective services facility.

Once installed on a hard drive, software discs or CD-ROMs must be stored in a prisoner's property except if a particular program requires a disc or CD-ROM in order to operate. Refer to section 317 of the CSA.

All software unless explicitly stated by the manufacturer to the contrary is covered by copyright. Refer to section 21(5) and 132 of the *Copyright Act 1968* (Cth). Infringing software must not be stored, installed or used by any person within a corrective services facility. In some instances, copyright does not cover resale and proof of sale may not be proof that the software conforms to copyright condition; however in most cases proof of purchase will be sufficient.

If it is suspected that copyright laws have been breached through the use of unauthorised or illegally copied software or the use of software, approval for use of an in-cell computer must be withdrawn and the computer removed, unless proof of ownership/purchase or non-infringement of copyright can be established. Refer to the Withdrawal/Return of In-cell Computer or UniSQ OPD section of this COPD.

12.9 Complete register

The Chief Superintendent of a corrective services facility or nominee must maintain a register of all prisoners who have approval for in-cell computer equipment and UniSQ OPDs. The register must include:

- a) the prisoner's name and IOMS ID number;
- b) the date of approval;
- c) any conditions of approval;
- d) the serial number and description of the approved computer equipment/UniSQ OPD;
- e) the date of review and possible renewal of rental contract;
- f) when a rental is completed the:
 - i. date of completion/return;
 - ii. condition of computer/UniSQ OPD on return;
 - iii. name of the person the computer/UniSQ OPD was returned to;
- g) when approval is withdrawn the:
 - i. date of removal; and
 - ii. reason/s for withdrawal.

The register must be updated the same day the computer is issued/returned/withdrawn by an officer nominated by the Chief Superintendent of the corrective services facility. The register must be submitted to ORMS on a quarterly basis or on request.

Refer to the COPD Daily Operations: Gate Books, Log Books and Registers.

12.10 Conduct security inspection





A prisoner with an in-cell computer must save their data to the StudentFiles drive. Documents and data not saved to this folder will be deleted when the computer is shut down. A prisoner's attempt to save data not in accordance with this instruction may constitute a breach of the conditions of issue of the in-cell computer. Prisoners are responsible for regularly backing up their files to a removable storage device (i.e. DVD-RW) to protect against data loss.

The content of in-cell computers and software may be subject to examination at any time without notice. Any examination must be conducted by a suitably qualified or authorised person or organisation at QCS' expense (refer to section 317 of the CSA).

Prisoners must not protect access to a file or application by password. If a prisoner protects a file or application and refuses to remove the protection, the computer must be removed immediately, approval suspended and an investigation undertaken. Refer to the Withdrawal/Return of In-cell Computer or UniSQ OPD section of this COPD.

If it is identified that inappropriate use of the in-cell computer may have occurred, the Chief Superintendent of a corrective services facility or nominee may authorise and organise a security inspection of the in-cell computer. Checking of files and data stored on the in-cell computer may be conducted at any time by the Chief Superintendent of a corrective services facility or nominee.

Should any prohibited item, pornographic image or other unsuitable material be located, the computer must be removed immediately, approval suspended and an investigation undertaken. Refer to the Withdrawal/Return of In-cell Computer or UniSQ OPD section of this COPD.





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12.11 Insufficient funds – in-cell computer or UniSQ OPD

If at any time during the rental period a prisoner has insufficient funds in their trust account to cover the costs of weekly rental of an in-cell computer/UniSQ OPD an Administrative Form 134

Notification of Insufficient Funds must be completed to advise the prisoner that:

- a) there are insufficient funds in their trust account to cover the required costs;
- b) they have seven working days to make funds available to cover the required costs; and
- c) failure to cover the required costs will result in cancellation of the rental contract and removal of the computer/UniSQ OPD refer to the Withdrawal/Return of In-cell Computer or UniSQ OPD section of this COPD.

12.12 Review/ongoing approval

Ongoing approval for a prisoner's use of an in-cell computer or UniSQ OPD is subject to the prisoner continuing to meet the eligibility criteria of initial issue.

The Education/Vocational Training Officer or other nominated officer must check eligibility criteria:

- a) at a minimum of six monthly intervals if the equipment has been issued for Educational/Vocational Purposes; or
- b) at three monthly intervals if the equipment has been issued for Legal Purposes.

12.13 Transfer between corrective services facilities

The in-cell computers and UniSQ OPDs remain the property of the corrective services facility to which they were issued and will not be transferred with a prisoner. The prisoner will need to reapply for approval at the placement centre. Refer to the Request for In-cell Computer or UniSQ OPD Access section of this COPD.

If a prisoner is transferred, every effort should be made for the prisoner to continue use of an in-cell computer, UniSQ OPD or in-cell computer for legal purposes at the placement facility. If a prisoner is renting an in-cell computer or UniSQ OPD as part of an education program and is considered for transfer to another facility, consideration of the prisoner's education plan and current program enrolment must be taken into account. Conformity with recommendations and continuity of program enrolment should be observed wherever possible.

Prior to transfer, a prisoner issued with an in-cell computer for educational/vocational or legal purposes should back up their files to a rewritable disc and apply to have that disc added to their property. An Education/Vocational Training Officer or other nominated officer will complete the back-up process for prisoners issued with a UniSQ OPD, or prisoners who were transferred at short notice. If the prisoner is re-issued with an in-cell computer for educational/vocational or legal purposes or a UniSQ OPD following their transfer, the information contained on the data disc/s or CD-ROM/s will be transferred to the in-cell computer.

13. Withdrawal/Return of In-Cell Computer or UniSQ OPD

13.1 Ceases to meet eligibility criteria

If a prisoner who has approval for an in-cell computer or UniSQ OPD ceases to meet the eligibility criteria for continued approval (i.e. withdraws from the study program, legal proceedings have been finalised or discontinued and/or research is completed):

- a) the in-cell computer or UniSQ OPD must be removed immediately;
- b) the rental contract must be terminated (where applicable);
- c) any software (except data discs) must be placed into the prisoner's property and held in storage (where applicable); and
- d) approval for an in-cell computer or UniSQ OPD must be withdrawn.





Custodial Operations Practice Directive

13.2 Inappropriate use/damage to in-cell computer, UniSQ OPD and/or equipment

If a prisoner damages an in-cell computer, UniSQ OPD, the power cable or any of the software components that are not owned by the prisoner, the cost of repairs other than for fair wear and tear will be deducted from the prisoner's trust account (refer to section 314 of the CSA, section 42 of the Corrective Services Regulation 2017 and the COPD Prisoner Entitlements: Prisoner Finances. The computer must be removed immediately and contract suspended (if applicable) while an investigation is undertaken.

13.2.1 Where access is permitted for legal/legal research purposes

There will be no further approvals or rental contracts (if applicable) granted to the prisoner until a decision regarding the return of the computer and future approval is made.

The Chief Superintendent or the corrective services facility or nominee may provide an alternative method of access to legal resources for a prisoner during a suspension period.

13.2.2 Where access was permitted for educational/vocational purposes

There must be no further approvals or rental contracts granted to the prisoner until a decision regarding the return of the computer and future approval is made in consultation between the Chief Superintendent of a corrective services facility and the Deputy Commissioner, Custodial Operations.

If after investigation the prisoner is found to have wilfully damaged the components mentioned above, the rental contract (if applicable) must be terminated and approval for an in-cell computer or UniSQ OPD withdrawn. There must be no further approvals or rental contracts granted to the prisoner. The process must be recorded in a case note and incident report (where necessary) in IOMS.

Action is to be taken immediately by the Education/Vocational Training Officer or other nominated officer upon detection of inappropriate use or damage, with the Chief Superintendent or Superintendent of a corrective services facility responsible for reviewing and approving any action taken.

13.3 Re-image/inspect in-cell computer or UniSQ OPD

When an in-cell computer is returned by a prisoner it must undergo a re-image process to remove all previous data and replace the initial settings of the laptop, prior to issue to the next eligible prisoner. This process must be conducted by the Education/Vocational Training Officers, or other nominated officer, as specified in the User Guide for Education Officers: Multipurpose Laptop Managed Operating Environment.

The date of return and condition of the laptop or UniSQ OPD on return must be recorded and where applicable the Trust Accounts Officer notified to cease rental deductions from the prisoner's account.

In-cell computer equipment and UniSQ OPDs must be inspected on return from rental, prior to issue to the next eligible prisoner. Any damage such as dents, scratches, scrapes must be recorded in the relevant sections of the Administrative Form 132 In-Cell Computer Equipment or UniSQ Offline Personal Device (OPD) Issue/Return.





Custodial Operations Practice Directive

Upon return of an in-cell computer or UniSQ OPD, the next eligible prisoner is to be offered the computer or UniSQ OPD for rental.

14. AEVET Classroom Computer Access - Inspect AEVET Classroom Computers

A regular check of files stored on the AEVET classroom computers must be conducted by the Education/Vocational Training Officer or other nominated person/s, at least quarterly.


14.1 Access to AEVET Classroom Computers and Printers

Prior to the commencement of training, a student user account and password will be set up for the prisoner by the Education/Vocational Training Officer.



The Chief Superintendent of a corrective services facility or nominee is responsible for ensuring that an appropriate printer is available and maintained for use with the AEVET classroom computers. This printer is only to be used to produce hard copies of program outcomes, vetted by the program facilitator and required for evidence purposes.

14.2 Records

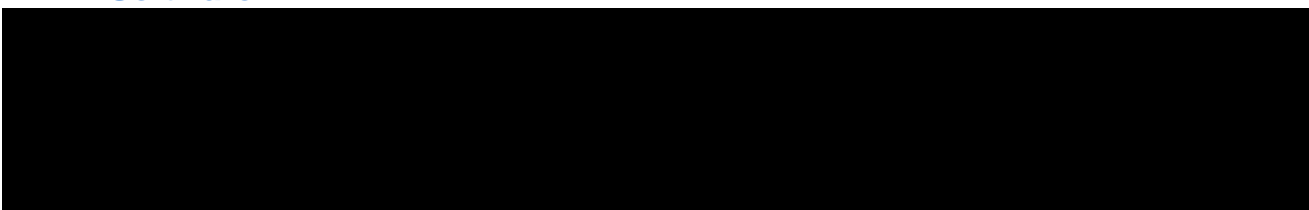
 The Chief Superintendent of a corrective services facility or nominee must maintain an up-to-date record of prisoners assigned to each login. This record must include the:

- a) prisoner's name and IOMS ID;
- b) allocated access password;
- c) access commencement date;
- d) access completion date;
- e) date student files downloaded and deleted; and
- f) date downloaded files given to prisoner or entered into their property (if applicable).

14.3 Prohibited computer equipment

Refer to the Issue In-cell Computer or UniSQ OPD section of this COPD.

14.4 Software





Custodial Operations Practice Directive

Prisoners are not permitted to upload any additional software or files on to the AEVET classroom computers. There is no requirement for prisoners participating in external programs to use their own CD-ROMs or discs to store or upload data.

14.5 Compliance access

The content on the AEVET classroom computer server may be subject to examination at any time without notice. Any examination must be conducted by a suitably qualified or authorised person or organisation at QCS' expense. Refer to section 317 of the CSA.

14.6 Security

The AEVET classroom computers have been provided by QCS to support and enhance the effective delivery of approved, nationally accredited education and training to prisoners. They have been set up in a secure environment with a server, thin clients, a network printer and a network switch. While the AEVET classroom computers are networked, the network is isolated and has no connection to the QCS network, internet or any other network. Removal of any of the AEVET classroom computers or their components from the designated centre location is not permitted unless approved by the Chief Superintendent or the Superintendent of the corrective services facility. Prior to the removal the Superintendent, Director, Digital Service Delivery is to be notified.

14.7 Universal Storage Bus (USB) devices

Chief Superintendents of corrective services facilities must implement a process that ensures all USB devices are recorded into a register and reconciled on a fortnightly basis, stored securely at all times, and used in accordance with their intended purpose.

14.8 Relocation of AEVET classroom computers

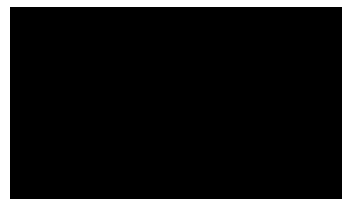
The AEVET classroom computers are provided to support and enhance the effective delivery of approved, nationally accredited education and training to prisoners in corrective services facilities.

Should a corrective services facility opt not to select education or training modules that require the use of the AEVET classroom computers, their allocated computers may be relocated to another corrective services facility that has been identified as having a need for additional AEVET classroom computers. The Superintendent, Director, ORMS or their delegate is responsible for the identification of the need for AEVET classroom computers. The Chief Superintendent or the Superintendent of the corrective services facility must provide approval for any subsequent relocation of unused AEVET classroom computers. Prior to the relocation the Superintendent, Director, Digital Service Delivery is to be notified.

15. Withdrawal of AEVET Classroom Computer Access

Prisoners must not protect access to an AEVET classroom file or application with a password. If a prisoner protects a file or application and refuses to remove the protection, their access to the AEVET classroom computers is to be ceased immediately and their participation in the education or training program withdrawn while an investigation is undertaken.

Pending the results of the investigation, the prisoner's participation in further vocational training requiring the use of the AEVET classroom computers is at the discretion of the Chief Superintendent of the corrective services facility. The process must be recorded in a case note and incident report (where necessary) in IOMS.





Custodial Operations Practice Directive

16. Course Completion

All required course activities and assessments are to be stored electronically on the AEVET classroom server under the prisoner's assigned student account while they are participating in a course. An approved hard copy of outcomes for evidence purposes may be printed and vetted by the program facilitator using the secure printer connected to the network in the classroom. Refer to the User Guide for Education Officers: AEVET Virtual Desktop Infrastructure MOE.

If a prisoner ceases to participate in the course, their access to the AEVET classroom computers also ceases. Any files stored under their student account are to be copied, provided to the prisoner if relevant, and then deleted from the server. The prisoner's student account is then also deleted.

The completion of courses delivered via the AEVET classroom computers must be recorded in IOMS within 10 business days by the Education/Vocational Training Officer.

17. Inspect AEVET Classroom Computers

Checking of files and any or all data stored on the AEVET classroom computer network may be conducted at any time by the Chief Superintendent of a corrective services facility or nominee. If it is identified that inappropriate use of the AEVET classroom computers may have occurred, the Chief Superintendent of a corrective services facility or nominee may authorise and organise a security inspection of the computers.

Should any prohibited item, pornographic image or other unsuitable material be discovered on a student account, the prisoner with access to this account must be identified and an investigation undertaken. Any prisoner identified as being responsible for inappropriate use of the AEVET classroom computers will have their access to the AEVET classroom computers terminated. The process must be recorded in a case note and incident report (where necessary) in IOMS.

Refer to the COPD Incident Management: Incident Management Process.

Pending the results of the investigation, the prisoner's participation in further courses requiring the use of the AEVET classroom computers is at the discretion of the Chief Superintendent of a corrective services facility after consultation with an Assistant Commissioner within Custodial Operations.

17.1 AEVET classroom computer server security maintenance

18. Prisoner Access to State Library of Queensland Resources

Where a prisoner is requesting access to State Library Queensland Resources, refer to the Appendix PD17 Instructions for Prisoners Requesting State Library Queensland Resources.

