### VISITORS TO A FACILITY

#### INTERVIEW PRISONER

**Performance Standard:** The establishment of a comprehensive process to provide for the management and administration of prisoner interviews which preserves the security and integrity of the facility.

### Outcomes:

- Ensure necessary documentation for each visit is received, filed and recorded.
- Ensure all visits are conducted in accordance with the visit requirements outlined in this Practice Directive.
- Consider all specific requirements for each visit including a risk analysis, where applicable, to ensure the security of the facility.
- Decide and record appropriate decision - approved, refused or subject to specific conditions.
- Conduct relevant search technique of all visitors and supervise visit.
- Record all details in accordance with the specific requirement outlined in this Practice Directive.

### Accountability:

<table>
<thead>
<tr>
<th>Role</th>
<th>Responsibilities</th>
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<tbody>
<tr>
<td>General Manager</td>
<td>Provides for the management and administration of visitors to a facility.</td>
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<tr>
<td>General Manager/Delegated Officer</td>
<td>Considers the specific requirements depending on the type of visitor requesting to enter the facility.</td>
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<td>Considers visitor risk.</td>
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<tr>
<td>Corrective Services Officer</td>
<td>Receives application from person requesting to visit the facility.</td>
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<td>Ensures required documentation for visit application is attached to application and validates identification.</td>
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<td>Understands and adheres to the visit requirements.</td>
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<td>Ensures the security requirements relevant to the visit are adhered to.</td>
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<td>Supervises visit.</td>
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<td>Records all visit details.</td>
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**Process Owner:** Statewide Operations maintain ownership and responsibility for review and amendment of the Practice Directive.
Requirements
Except for a prisoner's lawyer, an employee of a law enforcement agency or the Ombudsman, no other person from an external party may interview a prisoner or obtain a written or recorded statement from a prisoner without the approval of the Chief Executive or delegate. Note: only the Chief Executive may grant approval for media access to an offender. Refer CSA s132.

An accredited visitor, other than a person authorised under CSA s132 (2) while carrying out the functions of their office or position, may visit a prisoner, however must not interview the prisoner without specific approval.

An interview must occur out of the hearing but within the sight of a corrective services officer.

Law Enforcement Visitor
An employee of a law enforcement agency seeking to interview a prisoner may do so in accordance with CSA s167.

The law enforcement visitor must be registered as a visitor on IOMS and the visit entered on IOMS as visitor type “extra” and categorised according to the law enforcement agency that they represent.

A law enforcement agency means (refer CSA Schedule 4):
• the Crime and Misconduct Commission, a commission of inquiry under the Commissions of Inquiry Act 1950, or the police service
• the Australian Federal Police
• the Australian Crime Commission established under the Australian Crime Commission Act 2002 (Cwlth), section 7
• a police force or service of another State; or
• another entity declared under a regulation to be a law enforcement agency.

This does not apply to Corrective Services Investigation Unit (CSIU) or Queensland Corrective Services Intelligence Group (QCSIG) officers who have a CSA s275 appointment.

The prisoner may:

• refuse to see the law enforcement visitor; or
• agree to see the law enforcement visitor, but refuse to answer any of the law enforcement visitor’s questions (refer CSA s167(3)).

**Child Safety Officers**
A child safety officer wishing to visit a corrective services facility to interview a prisoner for the purpose of case planning must contact the facility a minimum of **seven days** beforehand to arrange the visit. This notice is to allow the General Manager of a corrective services facility sufficient time to arrange the relevant professional staff to be available for the meeting. At the time of arranging the visit, the corrective services officer must request that the child safety officer complete and send Child Safety Visit Notice Administrative Form 204 to the corrective services facility a minimum of 24 hours prior to the visit.

If a child safety officer requests to interview a prisoner in an emergency situation, an application may be made directly to the General Manager or Deputy General Manager of the corrective services facility.

**Interview Approval**
The Chief Executive or delegate (refer CSA, s132(2)(d)) may grant approval for a prisoner to be interviewed provided:

• the purpose of interview is considered reasonable
• the security or privacy of any person or of a corrective services facility is not compromised as a result of interview; and
• the interview, or any portion of the interview, is not published or made public except with permission of the relevant Executive Director or Deputy Director-General.

Refer Request to Interview an Offender/Photograph Facility Administrative Form 208 and Instrument of Delegation of Chief Executive Powers – Queensland Corrective Services.

**Research**
Approval to conduct research must first be obtained prior to seeking approval for a research related interview.

Approval to:

• conduct research in a corrective services facility
• use data held by the Department; and
• interview staff or a prisoner
may be granted by the Executive Director, Operational Support Services.

The approval to conduct research does not authorise access to a corrective services facility or a prisoner. Approval to access a corrective services facility or to interview a prisoner must be obtained in accordance with the requirements of this Practice Directive.

**Prisoner Consent**
The written consent of a prisoner must be obtained prior to an interview being conducted or a written or recorded statement obtained from the prisoner unless by a person authorised under CSA, s132(2). Refer Consent for Interview Administrative Form 209, Film and Photo Consent Form and Media Access and Public Speaking Engagements procedure.

Prior to an interview occurring with a law enforcement officer, the prisoner must consent to the interview by signing Prisoner Consent to be Interviewed Administrative Form 210. This form must contain the interviewing officer’s name and details. A copy of this form must be filed on the prisoner’s file.

Should the prisoner give consent for an interview with a law enforcement visitor, the visit should be out of the hearing, but not out of the sight of a corrective services officer.

**Conduct interview**
During the interview the prisoner is not to be allowed unsupervised access to any communication device. Any phone calls are to be made as an officer initiated call and, if possible, recorded. Any other authorised telephone call that is not recorded must be monitored with the details of the call documented in an information intelligence note in IOMS outlining the circumstances of the call and summary of call content. In the absence of access to IOMS, the details must be given to the facility intelligence officer to facilitate the production of an Information Note or Intelligence Report. Refer to Practice Directives Prisoner Entitlements: Prisoner Communications and Intelligence.