



# Community Engagement Religious Visitors

CE

## Custodial Operations Practice Directive

Version: 04		Implementation date: 25/03/2021	Availability: Official/Public
<b>Performance Standard:</b> The establishment of a comprehensive process to provide for the management and administration of religious visitors to corrective services facilities which preserves the security and integrity of the facility.			
<b>Outcomes:</b>			
Ensures necessary documentation has been completed, filed and recorded.			
Ensures all visits are conducted in accordance with the Practice Directive Visitors to a Facility: Visit Process requirements.			
Considers all specific requirements for each visit including a risk analysis, where applicable, to ensure the security of the facility.			
Decides and records appropriate decision - approved, refused or subject to specific conditions.			
Conducts relevant search technique of all visitors and supervise visit.			
Records all details in accordance with the specific requirement outlined in this Practice Directive.			
<b>Accountability:</b>			
Chief Superintendent, General Manager	<ul style="list-style-type: none"><li>Provides for the management and administration of visitors to a facility.</li></ul>		
Chief Superintendent, General Manager/Delegated Officer	<ul style="list-style-type: none"><li>Considers the specific requirements depending on the visitor requesting to enter the facility.</li><li>Considers visitor risk.</li><li>Considers and decides upon the most appropriate action to be taken i.e. approval, refusal or approval with conditions attached.</li></ul>		
Corrective Services Officer	<ul style="list-style-type: none"><li>Receives application from person requesting to visit the facility.</li><li>Ensures required documentation for visit application is attached to application and validates identification.</li><li>Understands and adheres to the visit requirements.</li><li>Ensures the security requirements relevant to the visit are adhered to.</li><li>Supervises visit.</li><li>Records all visit details.</li></ul>		
<b>Process Owner:</b> Custodial Operations and Specialist Operations maintain ownership and responsibility for the review and amendment of the Practice Directive.			

SENSITIVE





# Community Engagement Religious Visitors

CE

## Custodial Operations Practice Directive

### Human rights

To ensure Corrective Services officers act or make decisions in a way that is compatible with human rights, officers must give proper consideration to human rights relevant to the decision including but not limited to:

- Recognition and equality before the law, including the right to equal and effective protection against discrimination;
- Freedom of thought, conscience, religion and belief;
- Freedom of expression;
- Peaceful assembly and freedom of association;
- Participate in public life;
- Property rights;
- The right to privacy and to reputation;
- Cultural rights – generally and for Aboriginal peoples and Torres Strait Island peoples;
- The right to humane treatment when deprived of liberty;
- The right to have access, based on the person's abilities, to further vocational education and training that is equally accessible to all; and
- The right to access health services without discrimination including the right not to be refused emergency medical treatment that is immediately necessary to save the offender's life or prevent serious impairment to the prisoner.

### Limitation of human rights

Human rights can be limited if certain conditions are present:

- The limit must be provided under law;
- The limit must be reasonable; and
- Any imposition on the human rights must be demonstrably justified in a free and democratic society based on human dignity, equality and freedom.

A person's human rights should only be limited to the extent that is reasonably and demonstrably justified.



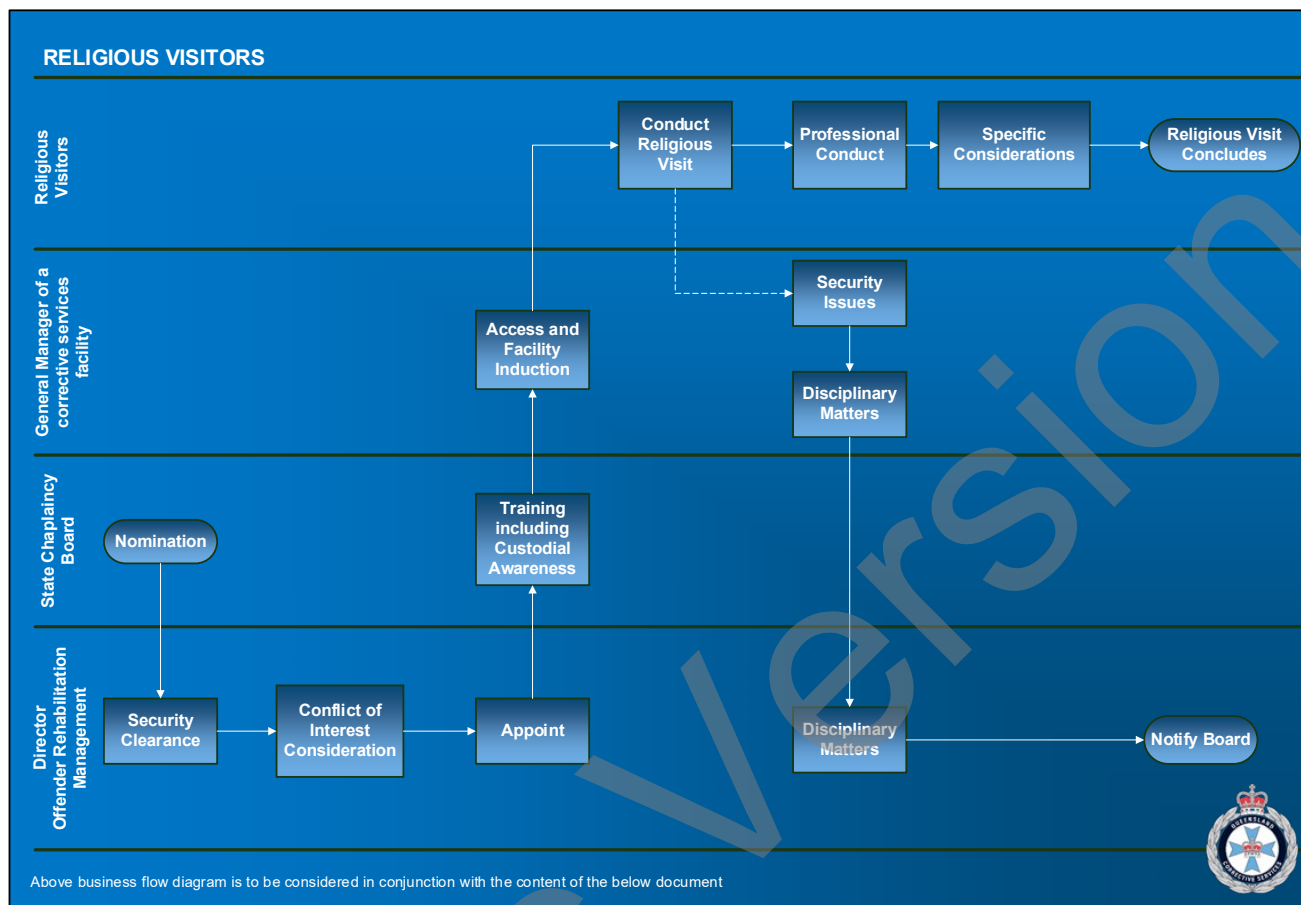
**SENSITIVE**



# Community Engagement Religious Visitors

CE

## Custodial Operations Practice Directive



## Overview

A prisoner must be given the opportunity to access religious services and to practice their religious beliefs within the operational constraints of a corrective services facility. If consistent with the operational requirements of the facility, a prisoner may join with other persons in practising the prisoner's religion and possess articles approved by the Chief Superintendent, General Manager necessary for the practice of the religion.

Religious visitors can be accessed to support prisoners who wish to practice their religion. Religious visitors can be personal religious visitors, Chaplains or Specialist Religious Visitors (refer to Appendix V12 for further information regarding appointment and approval).

A Religious Visitor may be granted access approval for all corrective services facilities by the Chief Superintendent, General Manager of a corrective services facility or authorised delegate, refer CSA s156(5)(b) and Instrument of Delegations of Chief Executive Powers – Queensland Corrective Services (QCS). Requests for access approval require completion of Approved Form 27(a) Application to Visit (In Person/Virtual) – Professional, Official or Other Business Purposes, which also allows consideration to grant access to video/teleconferencing visits if deemed appropriate and operationally viable.

In deciding whether or not to grant access approval for a Religious Visitor, the authorised delegate must have regard to human rights, including (but not limited to) the right to freedom of religion and any relevant cultural rights.

**SENSITIVE**



# Community Engagement

## Religious Visitors

CE

### Custodial Operations Practice Directive

The decision to grant access approval for all corrective services facilities is to be entered into IOMS.

A separate Approved Form 27(a) is not required to be completed for each prisoner or Centre that the religious visitor is required to visit. The original approval by virtue of the Approved Form 27(a) will be valid for a period of 12 months and apply to all prisoners currently in custody at a Queensland Corrective Services facility.

### Personal Religious Visitor

If a prisoner wishes to receive a religious visit from a representative of their own religious group who is not an approved Chaplain, the prisoner must make a request for a Personal Religious Visit to the Chief Superintendent, General Manager of the corrective services facility.

Typically visits will occur in the corrective services facility's visits area. A Chief Superintendent, General Manager of a corrective services facility may approve a group meeting where a number of prisoners request it. As with Chaplains, Personal Religious Visitors do not preach to the broader population.

Before determining whether to approve a personal religious visit the Chief Superintendent, General Manager of a corrective services facility should seek advice from the approved service provider about the representative's status within their religious organisation/denomination.

The Chaplaincy Team (Appointed Chaplains within a facility) is not responsible for the approval, co-ordination, or recording of personal religious visitor requests and visits to a facility.

The authorised delegate (refer Instrument of Delegation of Chief Executive Powers – Queensland Corrective Services) will:

- approve or not approve the visit;
- determine the timing, location and nature of the visit; and
- notify the applicant of the success or otherwise of the application.

In deciding whether or not to approve the visit, the authorised delegate must have regard to human rights, including (but not limited to) a prisoner's right to freedom of religion and their right to practice or demonstrate their religious beliefs, and any relevant cultural rights.

A visit by a Personal Religious Visitor is not considered in lieu of a personal visit, however the Chief Superintendent, General Manager of a corrective services facility may limit the frequency of visits. The Chief Superintendent, General Manager of a corrective services facility will determine an appropriate location for the personal religious visit to occur in private.

A Personal Religious Visitor must seek approval from the Chief Superintendent, General Manager of a corrective services facility to bring religious literature or materials into a facility for the purposes of a personal religious visit.

**SENSITIVE**





# Community Engagement Religious Visitors

CE

## Custodial Operations Practice Directive

### Chaplaincy Services

The role of Chaplain is to serve the spiritual needs of all prisoners. Any prisoner wishing to access a Chaplain may do so regardless of denomination. A Chaplain does not proselytise, but provides pastoral care to all prisoners that request support.

QCS engage with a number of organisations to deliver chaplaincy services for prisoners. Refer to Appendix CE9 List of approved organisations that deliver chaplaincy services.

Each of these organisations have equitable access and privileges according to the requirements of this COPD.

### Training

All Chaplains before appointment must provide evidence that they have completed the Custodial Awareness Training Course before approval will be provided for a QCS Yellow ID card.

A Chaplain may be provided with a QCS Yellow ID Card and may enter and minister to prisoners within a facility subject to operational constraints as determined by the Chief Superintendent, General Manager of a corrective services facility.

To provide guidance to Chaplaincy Teams in facilities, the service providers are to ensure that their practices are consistent with the *Corrective Services Act 2006* and QCS policies and procedures.

Refer: Procedure – General – Personal Identification.

### Security Clearance

The Director, Offender Rehabilitation and Management Services, ensures the return of all required paperwork authorising appointment and on-going security clearances to inform the delegate's decision making.

### Conflicts of Interest Consideration

Chaplains are required to disclose any conflict of interest that may impact on their ability to undertake chaplaincy services. This may include, but is not limited to, situations where a prisoner has requested that the Chaplain sponsor them or provide accommodation to them after release, where a Chaplain's family member may be incarcerated, or where the Chaplain takes up employment within the correctional centre or provides an alternative service. Such potential conflicts of interest should be reported to the service provider immediately for advice.

### Appointment

Approved service providers, in consultation with QCS determine the appropriate level of Chaplains to be approved at a site and aim to ensure representation between religious groups is appropriate.

Candidates must meet the requirements set down for a Chaplain and must complete training provided by QCS and the service provider.

**SENSITIVE**





# Community Engagement Religious Visitors

CE

## Custodial Operations Practice Directive

The service providers are also responsible for identifying and coordinating nominations for appointment as a Chaplain. Candidates must meet the requirements set down for a Chaplain and must complete training provided by QCS.

The service providers appoint the Chaplains post completion of all training requirements.

Where relevant, Assistant Chaplains are nominated by the individual's religious organisation and endorsed by the Chaplaincy Team upon receipt of a security clearance and approval of the facility's Chief Superintendent, General Manager (they are not eligible for a yellow ID Card).

An Assistant Chaplain works with a Chaplain for the purpose of a specific task, for example, conducting group worship or providing religious instruction. An Assistant Chaplain must be accompanied by a Chaplain within a centre at all times.

<p>Provision of Chaplaincy Services to QCS staff</p>	<p>Chaplains are not appointed for the provision of counselling services to staff. Staff affected by workplace incidents or matters of a personal nature can seek the services of the QCS Employee Assistance Program (EAP).</p> <p>Chaplains come into contact with staff on a regular basis and may hear of issues that are of concern. A Chaplain should encourage staff to seek the services of the QCS employee assistance program; however, caring and confidential listening may be appropriate.</p> <p>If staff members raise an issue of workplace grievance, a Chaplain must encourage them to follow the QCS grievance resolution procedure.</p> <p>If a Chaplain becomes involved in staff matters, either inadvertently or at the request of the staff member they should seek the involvement of centre management or encourage the staff member to approach their supervisor/manager. Additionally, if the matter is of a personal nature, staff should be encouraged to access community resources including EAP.</p>
--	---

All other administration matters and issues such as confidentiality, induction and training of Chaplains must occur in accordance with Practice Directive Prisoner Development: Programs and Interventions.

## Chaplaincy Team

Appointed Chaplains form a facility's Chaplaincy Team, which is coordinated by a nominated member of the team.

The Chaplaincy Team in each centre is responsible for the planning, coordination and administration of chaplaincy services at the facility in consultation with QCS and the service providers.

It is the role of the Chaplaincy Team to manage the number of Chaplains at a facility on a daily basis. If it is determined that there are insufficient Chaplains assigned to a facility it must be brought to the service provider's attention.

The Chaplaincy Team at a facility must prepare a chaplaincy roster having regard to the pastoral and spiritual needs of all prisoners at the facility. The roster is to be developed in consultation with the Chief Superintendent, General Manager or Superintendent, Deputy General Manager of the corrective services facility and the approval of the service providers.

SENSITIVE







# Community Engagement Religious Visitors

CE

## Custodial Operations Practice Directive

The Chaplaincy Team should meet with centre management on a monthly basis to ensure appropriate communication occurs and issues are proactively discussed and addressed.

### Specialist Religious Visitors

If a corrective services facility has a particularly large prisoner population aligned with a faith not represented on the Chaplaincy Team roster, consideration will be given to the appointment of Specialist Religious Visitors sponsored by that religious organisation.

## Approval Process for Specialist Religious Visitors

Applications for Specialist Religious Visitors will be considered by the Manager Offender Development or equivalent and Chief Superintendent, General Manager of the corrective services facility, with recommendations to the Chief Superintendent, General Manager, Custodial Operations. Conditions of access for a Specialist Religious Visitor are at the discretion of the Chief Superintendent, General Manager of the corrective services facility.

In deciding whether or not to grant applications for Specialist Religious Visitors, human rights must be considered, including (but not limited to) the right to freedom of religion, any relevant cultural rights and a person's right to enjoy their human rights without discrimination.

Access within Corrective Services Facilities	
Type	Description
Maximum Security Unit	A Religious Visitor must seek centre management team approval in order to visit a prisoner accommodated in a Maximum Security Unit.
Safety Unit	Given the therapeutic nature of a Safety Unit, a Religious Visitor must speak with management staff at the corrective services facility prior to visiting a prisoner accommodated in a Safety Unit to ensure personal safety and that the therapeutic approach is not compromised through external involvement.
Accommodation Unit Common Areas	<p>A Chaplain must be given reasonable access to unit common areas within operational constraints. When in a unit common area, a Chaplain must be able to be observed by a corrective services officer at all times, with due consideration to the prisoner's right to privacy.</p> <p>It is not necessary for an officer to be in the unit common area with the Chaplain if the Chaplain is able to be observed by an officer and the Chaplain is comfortable with this arrangement. Chaplains are to remain in common areas visible to officers and are not to enter prisoners' cells. Assistant Chaplains are not permitted access to accommodation areas unless in the company of a Chaplain. A Specialist or Personal Religious Visitor may only access the designated areas approved by the Chief Superintendent, General Manager of the corrective services facility. All approved chaplaincy service providers are to be afforded equitable access.</p>

SENSITIVE





# Community Engagement

## Religious Visitors

CE

### Custodial Operations Practice Directive

<b>Princess Alexandra Secure Unit (PAHSU)</b>	The pastoral care of prisoners admitted as inpatients to the PAHSU is the responsibility of the PAHSU Medical Director. This may involve the provision of pastoral and spiritual care by the Princess Alexandra Hospital Pastoral Care Service or by a Chaplain appointed by the service provider.
<b>Access to Other Corrective Services Facilities</b>	If a Chaplain wishes to visit a facility to which they are not appointed to conduct, for example, a service, celebration or marriage, the Chaplaincy Team at the Chaplain's appointed facility will approach the Chief Superintendent, General Manager at the corrective services facility to be visited to make the necessary arrangements.
<b>Access to Minister to a Dangerously Ill/Seriously Injured Prisoner</b>	<p>The Chief Superintendent, General Manager of the corrective services facility will notify the Chaplaincy Team of any prisoner who is seriously ill and requests a visit from a minister/ religious person of their particular faith as soon as possible. The Coordinating Chaplain should advise the Chief Superintendent, General Manager or nominated manager of Chaplains to be contacted should staff become aware of a prisoner who is dangerously ill or whose death may be imminent.</p> <p>Refer CSA s 23.</p>
<b>Access After a Death in Custody</b>	<p>Chaplains should ensure that they have provided emergency contact details to the Chief Superintendent, General Manager or a nominated manager at the corrective services facility to which they are appointed to allow support services to be provided at a facility after a death in custody in accordance with the contraction agreement with the service provider.</p> <p>Refer CSA s 24. Refer Practice Directive Incident Management: Death in Custody.</p>
<b>Access to Officiate a Marriage</b>	<p>If a prisoner wishes to marry, a request to the Chief Superintendent, General Manager of the corrective services facility by the prisoner is required prior.</p> <p>Refer CSA s 26; refer Practice Directive Prisoner Entitlements: Marriage, Name Change and Voting.</p>

**SENSITIVE**





# Community Engagement Religious Visitors

CE

## Custodial Operations Practice Directive

### Post Release Contact with Released Prisoners

A Chaplain wishing to maintain a pastoral relationship with a released prisoner must be mindful of any potential conflict of interest.

It is considered inappropriate for a Chaplain to be nominated as the sponsor for a prisoner applying for parole and such a situation may result in review of the Chaplain's appointment.

It is recommended that advice be sought from the service provider by the Chaplain and/or QCS prior to QCS endorsing a Chaplain as a sponsor to ensure no conflicts of interest with their chaplaincy role will occur.

## Professional Conduct of Religious Visitors

The agreements between funded service providers and QCS are developed to comply with current legislation, policies, procedures and QCS operations which outline the terms in which the services are provided and behaviour expected of the providers.

All religious visitors (specialised or personal), Chaplains, First Peoples Chaplains and Assistant Chaplains) must adhere to the QCS Code of Conduct, the *Corrective Services Act 2006* and other guidelines.

Specialist Religious Visitors and Personal Religious Visitors must adhere to relevant legislation, policy and procedure.

### Harm

If a Chaplain or any other Religious Visitor suspects that a prisoner may be at risk of self harm, pose a risk of harm to others or to the safety and security of the corrective services facility, they must immediately advise facility staff.

### Communication

All prisoner communication to outside persons is strictly monitored for security and surveillance reasons by the corrective services facility staff. Chaplains must not facilitate communication between a prisoner and any other person within or outside the corrective services facility. Communication includes use by a prisoner of a telephone to a landline or mobile connection or email facilities within the corrective services facility to an external party.

Under no circumstance should a Religious Visitor take anything from a corrective services facility, particularly an item given to them by a prisoner, including personal letters or other documents as this may be deemed a criminal offence.

**SENSITIVE**





# Community Engagement Religious Visitors

CE

## Custodial Operations Practice Directive

### Specific Considerations

#### Programs Delivered by Religious Visitors

A Religious Visitor must not be involved in the delivery of rehabilitation programs at the corrective services facility to which they are appointed without the prior approval of the service provider, the Chief Superintendent, General Manager of the corrective services facility, and the Director, Offender Rehabilitation and Management Services.

Proposed programs for prisoners of a religious nature should be referred to Offender Rehabilitation and Management Services, Specialist Operations through the Manager, Offender Development (or equivalent) to be considered by the QCS Offender Program and Services accreditation panel.

#### Wine

A Chaplain may request that a Chief Superintendent, General Manager procure a quantity of alcoholic wine (no more than 750 mL) for the purpose of conducting religious services at a corrective services facility. This wine must be securely stored at the facility as determined by the Chief Superintendent, General Manager.

Access to the secure storage of wine will be granted by the Chief Superintendent, General Manager to approved Chaplains for the purpose of conducting religious services. After consultation with the Chaplain, the Chief Superintendent, General Manager of the corrective services facility must determine the quantity of wine released to conduct the religious service. The wine may be given to prisoners to consume as part of the religious service. All wine issued must be consumed as a part of a religious service. The wine identified for use in religious services will not be used or consumed for any other purpose.

Refer CSA 2006 s 128(2) (a), CSR 2017 s 19(k).

The Chief Superintendent, General Manager of the corrective services facility must develop a process that identifies how Chaplains are to access wine for the purpose of conducting religious services, including services conducted on weekends.

#### Religious Materials

The Board provides a list of approved religious magazines, periodicals and other printed materials for dissemination in corrective services facilities and updates on request.

For facilities where sex offenders are located, the Chief Superintendent, General Manager of a corrective services facility should ensure that any approved magazines are checked prior to being made available to prisoners to ensure there is no inappropriate imagery as outlined in the Practice Directive - Property: QCS Property, Tamper labels, Electronic Equipment and Restrictions.

When deciding whether or not to provide a prisoner with an approved magazine due to inappropriate imagery, the Chief Superintendent, General Manager should consider the prisoner's human rights, including (but not limited to) their right to practice their religious beliefs and property rights.

#### Security Issues

A Religious Visitor must not take any prohibited or unauthorised articles into a corrective services facility. Refer CSR 2017 s19; Prohibited Things Appendix S1.

SENSITIVE





# Community Engagement Religious Visitors

CE

## Custodial Operations Practice Directive

<b>Additional Considerations – Religious Objects</b>	<p>A Chaplain or other religious visitor may supply a prisoner with a religious object that has been approved by the Chief Superintendent, General Manager.</p> <p>A religious object is an item of religious, spiritual or symbolic significance to a particular faith or belief. Examples include: Rosary Beads, Prayer Mat, Totem, Icon or Item of religious jewellery.</p>
<b>Additional Considerations – Religious Visitors</b>	<p>Under no circumstance should a religious visitor review a prisoner's file or medical file. Religious Visitors are encouraged to speak to facility staff if they are unclear of an issue which is causing concern or distress to a prisoner.</p>

## Disciplinary Matters

If the professional conduct or behaviour of a funded service provider is in contravention of the conditions of the contract which include reference to the QCS Code of Conduct and the CSA, attempts are to be made to address the issue at the local level in the first instance, through discussion with:

- management staff at the facility; and
- the Chaplain concerned.

Should local resolution not be possible or appropriate, a formal complaint is to be made to the Chief Superintendent, General Manager of the corrective services facility.

The Chief Superintendent, General Manager may:

- have the Chaplain removed from the facility; and/or
- temporarily suspend the Chaplain's access to the facility.

The Director, Offender Rehabilitation and Management Services must be immediately advised of any disciplinary matters by the Chief Superintendent, General Manager of the corrective services facility or a nominated centre staff member. The Director, Offender Rehabilitation and Management Services must contact the Board and provide the Chair of the Board with all relevant information and documentation in relation to the complaint.

Following such notification, the Board may seek further clarification from QCS and may request meetings with the Director, Offender Rehabilitation and Management Services and the Chief Superintendent, General Manager of the corrective services facility as appropriate.

QCS will then review the issue with the Chaplain by either:

- Negotiating acceptable terms and conditions with the Director, Offender Rehabilitation and Management and/or the Chief Superintendent, General Manager of the corrective services facility to facilitate the re-instatement of the Chaplain; or
- Withdrawing the Chaplain's appointment from the Board.

It is expected that QCS would involve both the service provider and the Chief Superintendent, General Manager of the corrective services facility where necessary in making its final determination. In making a decision regarding the Chaplain's disciplinary matter, the Chaplain's human rights should be considered, including (but not limited to) their right to privacy and reputation and right to participate in public life.

**SENSITIVE**

