



Community Engagement

Work Camps, Programs and Orders

CE

Custodial Operations Practice Directive

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Scope
<ol style="list-style-type: none">1. Human Rights2. Limitation of Human Rights3. Work Camps – Community Service Projects4. Work Program – Work Order Assessment and Approval <p>PUBLIC VERSION</p>



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1. 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:

- a) recognition and equality before the law, including the right to equal and effective protection against discrimination;
- b) the right to protection from torture and cruel, inhuman or degrading treatment;
- c) cultural rights – generally and for Aboriginal peoples and Torres Strait Island peoples;
- d) the right to be treated with humanity and respect when deprived of liberty; and
- e) the right to have access, based on the person's abilities, to further vocational education and training that is equally accessible to all.

2. Limitation of Human Rights

Human rights can be limited if certain conditions are present:

- a) the limit must be provided under law;
- b) the limit must be reasonable; and
- c) 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.

Freedom from forced or compulsory labour does not include work or service normally required of a person under detention because of a lawful court order. Refer to section 18(3)(a) of the *Human Rights Act 2019*.

Community reintegration should be graduated and supervised in accordance with the risks and needs of an individual prisoner.

Work camps provide prisoners opportunities to participate in Work Program Community Projects, providing reparation to the community while developing new skills which provide:

- a) reparation to the community;
- b) development of new work skills; and
- c) an opportunity to reintegrate into the community and demonstrate expected community behaviours.

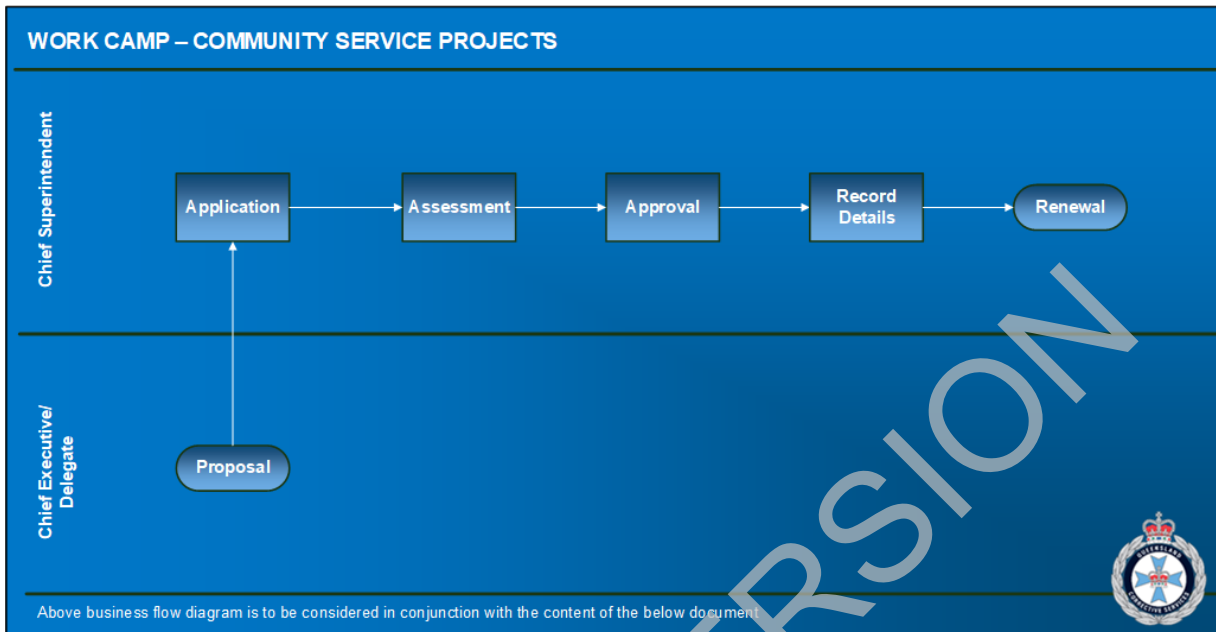
Prisoners should be provided with meaningful work projects that develop practical skills to assist their reintegration and are beneficial to the community.





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3. Work Camps – Community Service Projects



3.1 Proposal to establish a work camp

A Shire or Council may apply to the Commissioner for the establishment of a permanent work camp site in their local community, refer to the Administrative Form 171 Proposal to Establish a Work Camp Site. Established Work Camp locations are identified in the Appendix CE7 Corrective Services Facilities including Work Campsites.

3.1.1 Transfer for participation in a work order

Some low security facilities accommodate prisoners who have been granted a work order.

Refer to the Custodial Operations Practice Directive (COPD) Sentence Management: Classification and Placement.

3.1.2 Emergency/disaster relief work

Emergency response community service for locations outside of a facility's regional council boundaries should be performed by work program approved prisoners.

All requests for emergency/disaster relief work will be considered and determined by the Commissioner, Queensland Corrective Services (QCS).

Approval for the use of restricted equipment (e.g. tractors or chainsaws) must be directly authorised by the Chief Superintendent of a corrective services facility.

3.2 Project application

The application must be provided to the Chief Superintendent of the corrective services facility in the region in which the proposed work camp site would be located.

All requests for assistance are to be made on an Administrative Form 162 Application to Become a Work Program Community Project.





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The requesting organisation must also complete an Administrative Form 163 Work Program Community Service Project Workplace Health and Safety Assessment.

A corrective services officer may provide assistance to complete these forms if required.

3.3 Project assessment

When assessing suitability of potential Work Program Community Projects the following factors must be considered:

- a) a sponsor organisation should ideally be “not for profit” or a government agency (e.g. Department or Council etc.). Exceptions may be approved where a project does not contribute directly to the organisation's profit;
- b) QCS must ensure that Community Service Project Sponsors are made aware of their obligations, as a public entity under the *Human Rights Act 2019* and as a consequence are obliged to comply with the terms of that Act;
- c) a rigorous assessment for any potential ethical compromise to QCS;
- d) its appropriateness as an activity for the relevant prisoners;
- e) whether ongoing and adequate on-site supervision is to be provided for prisoners performing community work; and
- f) if appropriate, suitability to meet the needs of all prisoners including those with a disability or specific cultural needs, whether the project involves meaningful and non-traditional options for prisoners.

The outcome of each of these considerations must be documented as an integral part of the application for approval of the project.

A sponsor organisation must have current public liability insurance, which also covers the use of equipment and any injury that may be sustained by the prisoner.

The Chief Superintendent must ensure Work Program Community Projects are assessed and regularly monitored by Work Camp Coordinators to ensure compliance with QCS requirements for workplace health and safety. However, external organisations must be advised that compliance with these requirements does not necessarily discharge the organisation's obligations under relevant workplace health and safety legislation.

3.3.1 Workplace health and safety

Refer to the Administrative Form 164 Hazardous Substances/Dangerous Goods/Chemicals Register.

A corrective services officer may assist the potential sponsor agency to complete the application form and conduct assessments using an Administrative Form 163 Work Program Community Service Workplace Project Health and Safety Assessment.

3.3.2 Emergency response

Emergency response community service for locations outside of a facility's regional council should be performed by work program approved prisoners.

3.4 Approval

The completed administrative forms are to be forwarded to the Work Camp Community Engagement Committee (CEC) for endorsement prior to forwarding to the Chief Superintendent of the managing corrective services facility for approval.





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If the project is approved:

- a) the data from the form must be entered in the Integrated Offender Management System (IOMS);
- b) the Chief Superintendent of the corrective services facility must then approve the project electronically in IOMS. If the project is not approved the application must be filed at the managing corrective services facility; and
- c) the Work Camp CEC is to be advised of the outcome.

Refer to section 270(1) of the *Corrective Services Act 2006* (CSA), the Queensland Corrective Services Instrument of Delegation of Chief Executive Powers, the COPD Community Engagement: Community Service Projects and the Appendix CE6 Community Engagement Committee Terms of Reference.

3.5 Record details

Each work camp is to record the total number of hours worked by prisoners at Work Program Community Projects.

The field supervisor is to:

- a) maintain a record of the project sites;
- b) number of prisoners in attendance; and
- c) hours worked in the day and total hours worked.

At the completion of each camp the field supervisor is to return the record of hours to the managing corrective services facility.

3.5.1 Hours worked

The hours worked is limited to the actual time that work was completed at a work site. Travelling time, lunch breaks and other down time is not to be counted. The hours of other prisoners not directly involved in community project work, such as camp cook, is not to be included in the community hours.

3.5.2 Renewal

Every 12 months the requesting organisation must complete and submit an Administrative Form 172 Work Program Community Project Annual Update for approval.

The Chief Superintendent of a corrective services facility is responsible for the above.





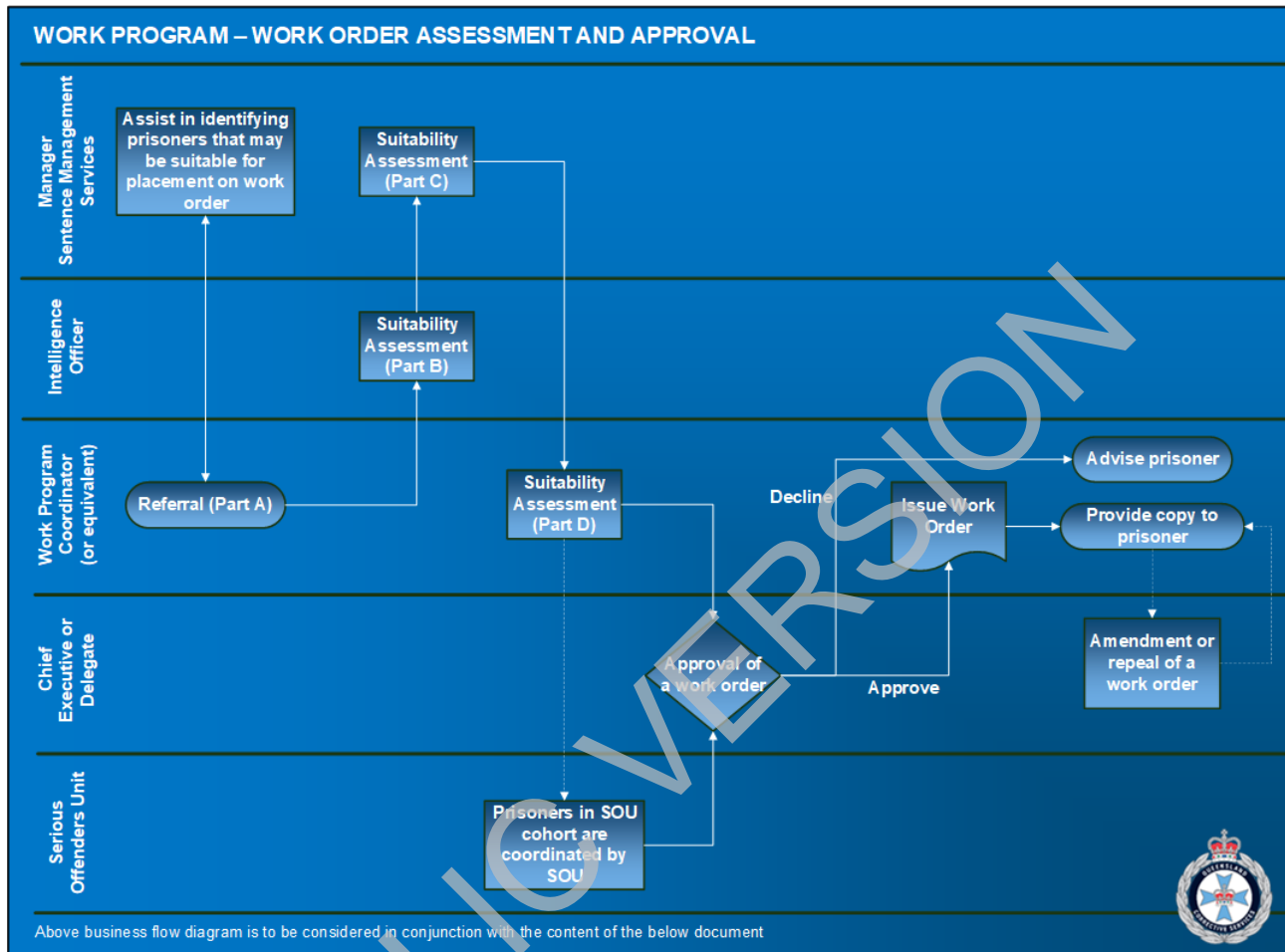
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4. Work Program – Work Order Assessment and Approval



The state's 13 work camps are aligned to local corrective services facilities:

- Numinbah Correctional Centre:
 - Warwick (women's);
- Capricornia Correctional Centre:
 - Springsure, Clermont and Blackall;
- Palen Creek Correctional Centre:
 - Mitchell, Charleville, Dirranbandi and St George;
- Lotus Glen Correctional Centre:
 - Innisfail; and
- Townsville Correctional Centre:
 - Boulia, Julia Creek, Winton and Bowen (women's).

In accordance with section 66 of the CSA a work order must be granted for a prisoner to be transferred to a work camp and the prisoner must perform community service as directed by the Chief Executive or delegate.

A work order may only be granted to a prisoner who is not restricted from transferring to a work camp. Refer to Schedule 1 and section 67 of the CSA.



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4.1 Referral

Prisoners should be identified for assessment of suitability for the work program through each corrective services facility's progression process.

Regular communication between the Work Program Coordinator (or equivalent) and Sentence Management Services should occur to identify prisoners that are not restricted from transferring to a work camp and may be suitable for placement on a work order. A prisoner's suitability should be identified as early as possible to allow for specific skill development that would benefit the community and the prisoner.

4.2 Suitability assessment

Assessment of eligible prisoners is to be conducted by the Work Program Coordinator (or equivalent) with input from the Intelligence Officer and Sentence Management Services using the Administrative Form 20 Work Program Suitability Assessment/Community Service and Education LOA Assessment.

Prisoners should transition to a work camp after first having been placed at a low custody corrective services facility (excluding Townsville Women's Correctional Centre). However, where this is not possible due to operational reasons, a prisoner may still be assessed for a work camp if appropriate. The transition should be linked to the prisoner's progression plan.

All requests for prisoners in the Serious Offenders Unit (SOU) cohort to undertake the work program are coordinated by SOU. The recommendation of the responsible officer, recorded on the Administrative Form 20 Work Program Suitability Assessment/Community Service and Education LOA Assessment, is to be forwarded to SOU via email to

[REDACTED] for consideration by the Chief Superintendent, Sentence Management Services.

4.3 Eligibility criteria

A prisoner may be eligible for progression to a work camp where:

- a) the prisoner is classified a low security classification (refer to the COPD Sentence Management: Classification and Placement);
- b) the prisoner has not been charged with an offence that has not been dealt with by a court
- c) there is no unexecuted warrant relating to the prisoner;
- d) a deportation or removal or extradition order has not been made against the prisoner;
- e) an appeal has not been made to a court against the prisoner's conviction or sentence; and
- f) the prisoner has not been convicted of a sexual offence.

4.4 Suitability considerations

The following must be considered before deciding to approve a prisoner for a work order:

- a) all recommendations of the sentencing court;
- b) Domestic and Family Violence Order holdings in IOMS;
- c) the risk the prisoner may pose to the community including:
 - i. the risk of the prisoner escaping or attempting to escape;
 - ii. the risk of physical or psychological harm to a member of the community and the degree of risk; and
 - iii. the prisoner's security classification.





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A prisoner should have completed all recommended interventions prior to placement on a work order. Where practical, prisoners who otherwise meet eligibility and suitability criteria should be given priority placement for any outstanding intervention programs in order to facilitate placement on a work order, but not at the detriment of other prisoners.

If an eligible prisoner has a demonstrated pattern of violent offending or escalating severity, justification must be provided if approval for a work order is granted. This must include how the prisoner has mitigated the level of risk to the community to a sufficient level to be placed at a work camp under a reduced level of supervision. Domestic and Family Violence related charges and orders must be considered. Prisoners identified in this category may need to demonstrate suitability through a period of placement at a low custody corrective services facility prior to progressing to a work order. Refer to section 27(2)(c) of the CSA.

4.5 Victims Register considerations

For prisoners who have a Victims Register (VR) flag, who are under consideration for participation in any work program, the Chief Superintendent of the corrective services facility must ensure that the Victims Register (Victims.Register@corrections.qld.gov.au) is contacted to request a proximity check in relation to the proposed participation site.

The email to Victims Register should contain the prisoner's IOMS number, full name, date of birth, and the proposed name of the work camp under consideration. This is to be referenced on the Administrative Form 20 Work Program Suitability Assessment/Community Service and Education LOA Assessment.

The Victims Register will advise the Chief Superintendent of the corrective services facility if any relevant information is required to be provided as a factor for consideration as a part of their suitability assessment to participate in any work program.

If the prisoner is assessed as suitable, the Chief Superintendent of the corrective services facility will ensure that the Victims Register is provided with further advice regarding the prisoner's participation.

4.6 Approval of a Work Order

In addition to the requirements of section 67 of the CSA when granting approval for a work order the Chief Executive or delegate must consider whether the prisoner has undertaken the security classification process and is classified low security classification (refer to the COPD Sentence Management: Classification and Placement).

The recommendation of the responsible officer and the Chief Executive or delegate's decision must be recorded on the Administrative Form 20 Work Program Suitability Assessment/Community Service and Education LOA Assessment.

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





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4.7 Issue Work Order

Following a decision by the Chief Executive or delegate to approve a work order the Approved Form 13 Work Order must be issued with any additional conditions the Chief Executive or delegate considers necessary including participation in sporting events and community functions. Where the prisoner is named as a respondent on a current order under the *Domestic and Family Violence Protection Act 2012*, the Approved Form 13 Work Order must include a condition outlining that the prisoner must comply with the conditions of any current Domestic and Family Violence Order. Refer to the word version of the Approved Form 13 for the recommended wording of this condition.

4.8 Advise prisoner

The prisoner must be advised of a decision not to grant a work order including reasons for the decision. The date the prisoner was advised is to be entered in a case note in IOMS.

4.9 Provide copy to prisoner

The conditions stated on the work order and the consequences of non-compliance with the conditions must be explained to the prisoner. The prisoner must sign the work order and the suitability assessment and work order must be attached in IOMS with the originals placed in the Offender File.

The prisoner is to be provided a copy of the work order and advised that they must carry the work order on their person at all times when not under the direct supervision of a corrective services officer. The order must be provided by the prisoner to a corrective services officer or police officer if requested.

A case note must be entered in IOMS to record the date the work order was provided to the prisoner.

The Work Program Coordinator (or equivalent) is responsible for the above and the Chief Executive or delegate is responsible for approval and review.

4.10 Amendment or repeal of a Work Order

A work order may be amended to reflect changes in circumstances of a prisoner or changing requirements of a work camp.

A work order can be repealed at any time by the Chief Executive or delegate.

Amendment or repeal of a work order is to be recorded using Approved Form 14 Order for Amendment/Cancellation of Work Order. The order must be attached in IOMS and the original placed in the Offender File.

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





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4.10.1 Warrants

The Chief Executive or delegate may issue a warrant when a prisoner:

- a) escapes from lawful custody;
- b) has been mistakenly discharged before the prisoner was eligible to be discharged; or
- c) remains in the community after any of the following orders, made in relation to the offender, have been suspended or cancelled:
 - i. a leave of absence order;
 - ii. an interstate leave permit;
 - iii. a community work order;
 - iv. a conditional release order; or
 - v. parole release order.

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

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