



Custodial Operations Practice Directive

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Scope

1. Human Rights
2. Limitation of Human Rights
3. Incident Management System
4. Preparation Phase

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1. Human Rights

It is unlawful for corrective services officers to act or make decisions in a way that is not compatible with human rights, or in deciding, 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.

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 liberty and security of person means that all reasonable steps must be taken to ensure the physical safety of people who are in danger.
- 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 document outlines procedures for critical incident response. There may be times where a response to a critical incident lead to the limitation of certain human rights to ensure the safety of prisoners.
- 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, questioning whether the temporary limitation of certain human rights is necessary to achieve overall safety in the event of a critical incident for prisoners, staff and community.
- 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.

3. Incident Management System

A professional and consistent response to emerging incidents is recognised as crucial to managing risk through minimising harm arising from incidents and in meeting duty of care obligations. The Queensland Corrective Services – Incident Management Guide should be reviewed by all senior managers.

All corrective services facilities will adopt the process outlined in this COPD. The process is broken down into three phases of Incident Management:

- a) Preparation.
- b) Incident and Response.
- c) Post-Incident.

The Chief Superintendent of a corrective services facility is responsible for the implementation of the Incident Management System. All staff are responsible for supporting the Chief Superintendent in execution of this duty.

The Chief Superintendent of a corrective services facility must provide for the development, administration and control of emergency plans for their facility or area of operation. This includes:

- a) prevention of risk through an analysis program and the implementation of strategies to mitigate risks;

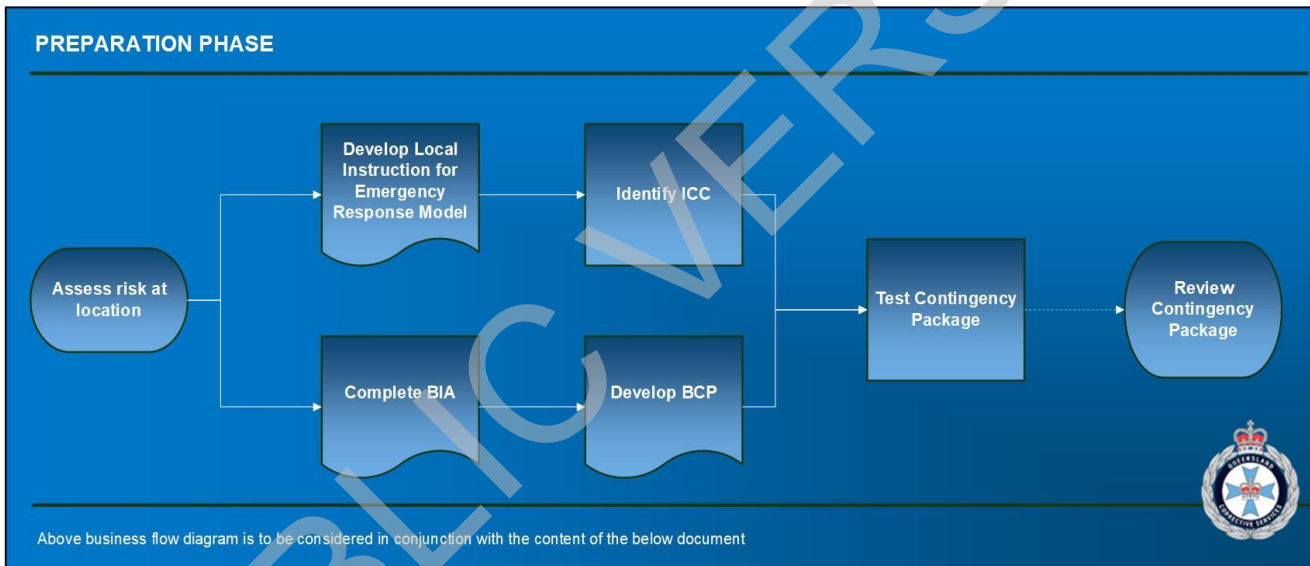




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- b) preparedness through the development of individual emergency plan responses to manage identified residual risks should they occur;
- c) provision of a controlled response to emergency incidents being cognisant of the potential for the incident to escalate or be a diversionary event;
- d) a robust recovery process to ensure business continuity and ongoing improvement;
- e) provision of annual training for all officers identified in each Incident Response Local Instruction as having a role or responsibility in managing the plan;
- f) conducting regular testing and auditing through exercises and desktop appraisals to improve emergency and business continuity practices;
- g) incorporation of local police, ambulance, fire services and emergency services in annual exercises; and
- h) giving consideration of the additional needs of prisoners with disabilities, or who are culturally and linguistically diverse.

4. Preparation Phase



The preparation phase of the IMS involves two overarching concepts:

- a) **Prevention** of risk through a risk assessment of the site, the implementation of strategies to mitigate those risks and the annual testing of the contingency package; and
- b) **Preparedness** through development of individual emergency plan responses to manage identified residual risks should they occur.

These two concepts breakdown into tasks that ensure all staff are prepared and trained to respond to incidents. These tasks include:

- a) the completion of a comprehensive risk assessment of each corrective services facility;
- b) the completion of Local Instruction (LI) for identified risks (where required);
- c) identifying and resourcing an Incident Control Centre (ICC);
- d) completion of a Business Impact Analysis (BIA);
- e) development of a Business Continuity Plan (BCP) and Business Resumption Plan (BRP);
- f) testing the LI and BCP; and
- g) completion of staff training.





4.1 Risk assessment

Each corrective services facility is responsible for identifying, assessing, treating, monitoring and reporting operational risks that will impact the delivery of critical business functions.

The Risk Register Template must be completed by the Chief Superintendent or delegate as part of the risk assessment process. It is designed to guide corrective services facilities in identifying operational risks consistent with the Queensland Corrective Services (QCS) Risk Management Framework and QCS Risk Management Policy.

The Risk Register should be reviewed each quarter to ensure that the risk assessment reflects the current operating environment.

When conducting a risk assessment, it may be useful to consider the following:

- a) Use the site plans for all relevant locations.
- b) Liaise with other centres and share information.
- c) Access information contained in relevant QCS training modules that personnel may have completed.
- d) Consult personnel from Custodial Operations, local emergency service agencies and local service providers.

Those risks which have a residual risk rating of high or very high must have a LI unless otherwise determined by the Chief Superintendent of the corrective services facility.

4.2 Identify and resource Incident Control Centre (ICC)

An appropriate primary location and alternative secondary location for an ICC must be identified in the preparation phase. It will be the location where the Incident Controller and the Incident Management Team provide direction of response activities. It must be resourced in accordance with the Queensland Corrective Services Incident Management Guide and is to be activated by the Chief Superintendent or delegate.

4.3 Business Impact Analysis (BIA) and Business Resumption Plan (BRP)

Each corrective services facility must complete an Appendix IM13 Business Impact Analysis and Business Resumption Plan (Custodial) Template.

The BIA gathers information to determine the basic recovery requirements for critical business functions in the event of a significant business disruption. It assists corrective services facilities to understand what critical business functions are delivered within the facility; what the maximum acceptable outage is for each business function; and what resources would be required to resume normal operations.

The BRP requires each corrective services facility to identify the resources and actions required to re-establish critical business functions within the maximum acceptable outage.

Along with the corrective services facility's risk register, the completed BIA and BRP form the foundation of the BCP.

Refer to the QCS Procedure – Business Continuity Management.





4.4 Business Continuity Plan (BCP)

All services facilities must develop a BCP utilising the Appendix IM15 Business Continuity Plan.

The BCP draws upon key information contained in the risk register, LIs, BIA and BRP. These documents identify processes used to respond to and recover business operations of a corrective services facility in the event of a significant business disruption.

The BCP also contains information on:

- the location of the Assembly Area in the event of an Evacuation (Code White);
- the location and resourcing of the Incident Control Centre;
- the location of critical utilities control points;
- consideration of the additional needs of prisoners with disabilities, or who are culturally and linguistically diverse; and
- contact information for local emergency services, service contractors and suppliers.

Refer to the QCS Procedure – Business Continuity Management.

In addition, each corrective services facility must have recovery strategies in place for the following scenarios:



Staff completing the recovery strategies can enter content from the relevant recovery strategy appendix into the editable Appendix IM29 Recovery Strategy Template.

A current hard copy of the completed BCP and associated appendices must be securely stored in the designated location at the corrective services facility in the event of a BCP activation where electronic files are not available/accessible.

4.5 Exercise and test contingency package

A safety coordinator must be appointed and a safety brief completed prior to commencing an exercise or test. The contingency package can be tested by conducting exercises whether on site or by simulation via tabletop or white board. Depending on the exercise objective, these exercises can range from involving only QCS to being a multi-agency activity. For support in planning an exercise refer to the Appendix IM11 Guidelines for Exercise Management. Testing the contingency package will ensure practicality of the package and provide for staff training.

4.6 Review contingency package

The Chief Superintendent of the facility must approve all LIs, recovery strategies, BCP and BRPs





The Chief Superintendent is responsible for the completion of the pre-incident phase activities. All staff are responsible for completing tasks as delegated by the Chief Superintendent and participating in exercises and testing as directed.

If any issues with the contingency package were noted during an exercise or as part of a post incident analysis and review, the contingency package must be reviewed and updated.

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