



Escorts

Escort Requirements, Princess Alexandra Hospital

ESC

Custodial Operations Practice Directive

Process Owner: Custodial Operations	Security Classification: Official/Public
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Scope

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6. [Redacted]
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Official/Public



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 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.

Human rights which may be relevant include:

- a) recognition and equality before the law;
- b) the right to protection from torture and cruel, inhuman or degrading treatment;
- c) the right to privacy and to reputation;
- d) the right to protection of families and children;
- e) cultural rights – generally and for Aboriginal peoples and Torres Strait Islander peoples;
- f) the right to humane treatment when deprived of liberty; and
- g) the right to health services.

2. Limitation of Human Rights

In determining whether a limitation may be reasonable and demonstrably justifiable, 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 protection from cruel, inhuman or degrading treatment and the right to humane treatment when deprived of liberty require an individual to be treated with respect for the inherent dignity of the human person.
- b) The nature of the purpose of the limitation – this involves considering the actual purpose or legitimate aim/reason for limiting the human right. For example, the restraints and restrictions applied in the process of conducting an escort are required for the safety and security of the officers, prisoner and others in the vicinity of, or impacted by, the escort.
- 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, will the application of the restraints determined to be required achieve the aim of facilitating the safety and security of the prisoner, officers and other bystanders or members of the public, given that this policy document relates to external escorts?
- d) Whether there are any less restrictive and reasonable 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, are the restraints and restrictions determined to be required for the escort the least restrictive they can be, taking into account the circumstances of the escort and the behaviour profile of the prisoner?





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- 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 limitation of the right, the more important the purpose will need to be to justify the limitation. For example, the level of restraint and restriction applied to conduct an escort must be balanced against the assessed risks to the prisoner, officer and the broader community if other less restrictive restraints or restrictions were applied.

3. Overview

The Princess Alexandra Hospital (PAH) is a public hospital operated by Queensland Health (Q Health). Queensland Corrective Services (QCS) personnel have the dual responsibility of maintaining not only prisoner security and safety but also coordinating with PAH Q Health, PAH Security and the Queensland Police Service regarding the safety of the public and health personnel.

To provide a central point of contact and control for QCS within the PAH, the Escort and Security Branch (ESB) maintains a Correctional Supervisor positioned at the PAH each day of the week and a shared Princess Alexandra Hospital Secure Unit (PAHSU)/PAH supervisor nightly. This role ensures that the PAH management team and the Emergency Department (ED) have a single centralised point of contact in relation to QCS activity at the PAH. In the event of an incident, this capacity provides a centralised coordination point to oversee QCS response and coordination with other agencies, as necessary.

This Custodial Operations Practice Directive (COPD) applies only to the PAH. The informal agreements and practices in place to conduct escorts at regional hospitals are not impacted and/or limited by the requirements of this COPD. For guidance regarding the operations of the PAHSU, refer to the COPD Escorts: Princess Alexandra Hospital Secure Unit.

4. Function of the PAH Supervisor

To coordinate activity between QCS and Q Health at the PAH, all QCS officers (including escort officers from corrective services facilities) will report to and take direction from the PAH Supervisor.





5. Escorting Staff Requirements

Escort staff are to have their staff identification displayed and be dressed in accordance with the Uniform and Dress Code, i.e. in full operational uniform.

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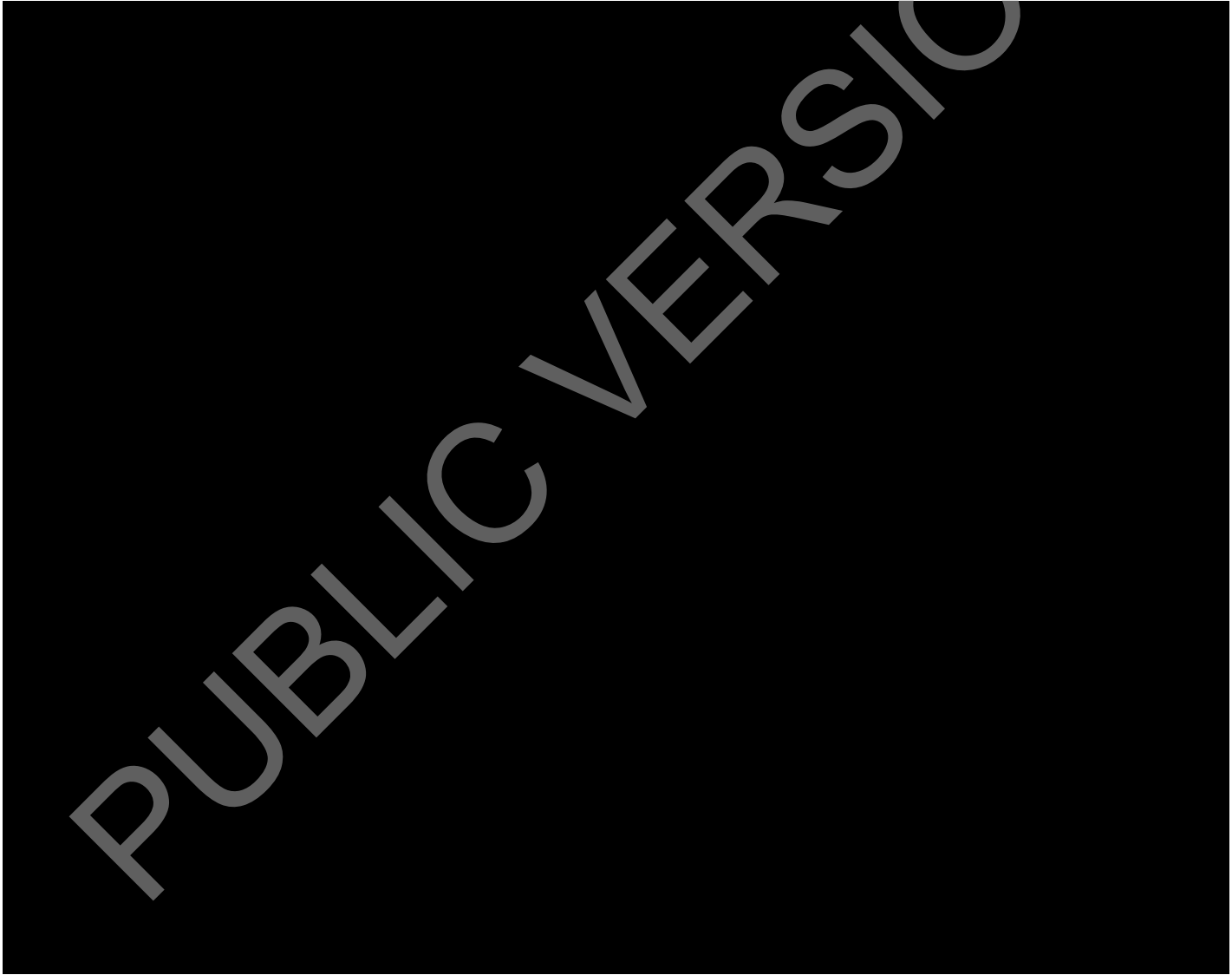




7. Prisoner Movement within the PAH

All escort movement within the PAH must be conducted by wheelchair to ensure the safety and security of the prisoner. The exceptions to this are male prisoners classified as low security or female prisoners of any security classification (unless they have an identified risk flag), i.e. escorts conducted without leg restraints. [REDACTED]

Escorting officers can enquire with Q Health staff providing care for the prisoner if a wheelchair is available for use, or the escorting officers should ring the PAH Supervisor who will source a wheelchair for the escorting officers.



7.2 Prisoner use of the toilet facilities

An escort officer must accompany and observe or stay in close proximity to a prisoner under escort while using toilet facilities.





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The escort officer observing the prisoner must be of the same gender. The escort officer should have due regard to decency but must not allow the prisoner out of sight.

7.4 Behaviour of prisoners

Management of the prisoner's behaviour is the responsibility of the QCS escort officers on the medical escort. The QCS escort officers must ensure the prisoner complies with the following:

- a) a prisoner must display acceptable behaviour toward all Q Health and QCS personnel;
- b) a prisoner must not have contact with members of the public; unless under approved visitation provisions; and
- c) a prisoner must not have contact with other prisoners.

There is zero tolerance for rude, obscene, insulting, sexual and/or offensive language/behaviour and prisoners must remain in a bed, wheelchair, chair, or other defined area as allocated by Q Health.

8. Prisoner Medical Discharge

8.1 Escort discharge from the PAH

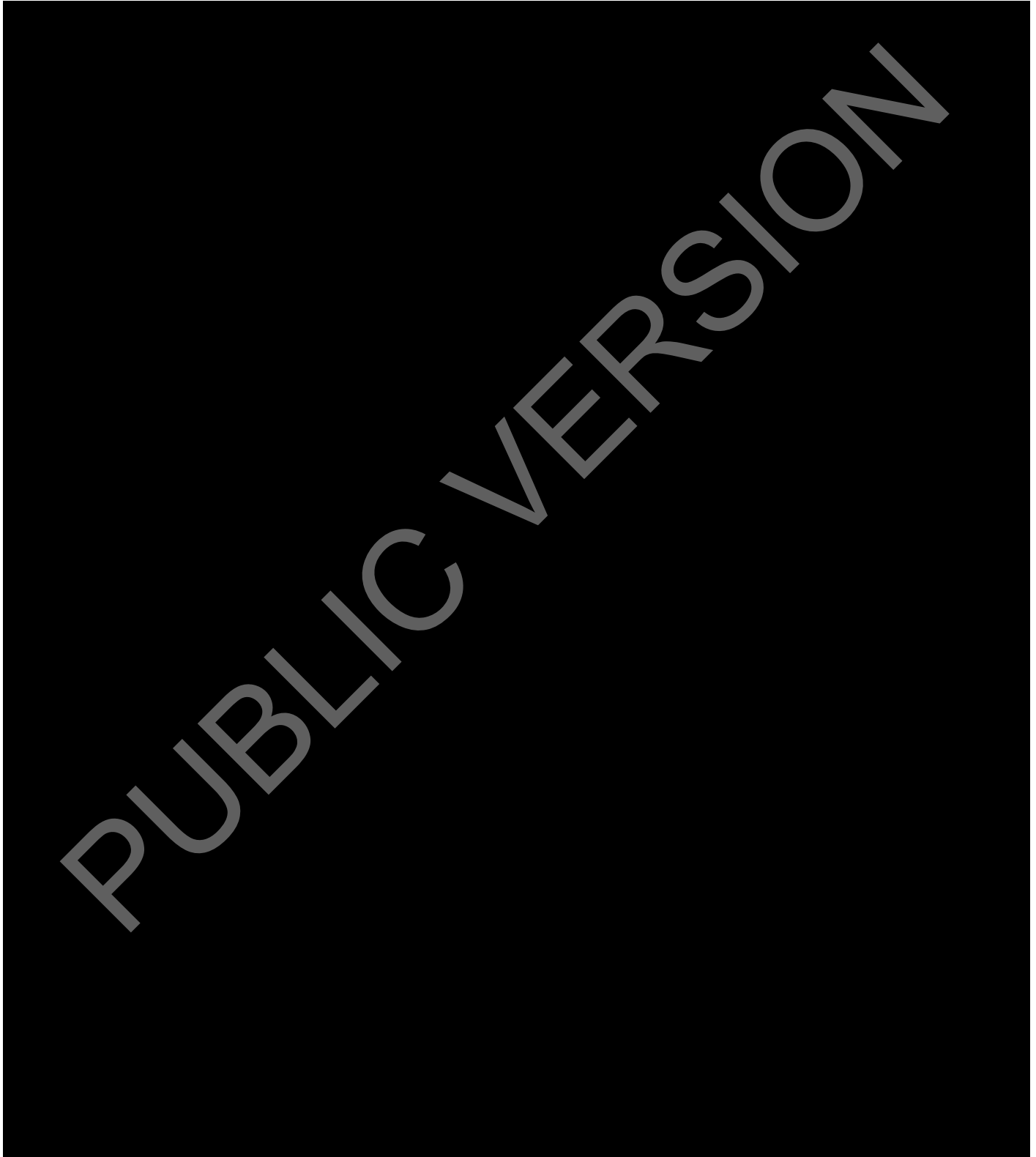
Escort officers must inform the PAH Supervisor that the prisoner escort has received a discharge summary for the prisoner and is ready to return to the prisoner's placement centre.

The PAH Supervisor will coordinate with the escort unit and arrange discharge transportation back to the centre and provide the escort officers with an estimated time of arrival for the return transportation.



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The PAH Supervisor will also brief the escorting officers of the prisoner discharge process. The officers are to update the supervisor at the prisoner's placement centre of the pending discharge and transportation in place to return to the centre.





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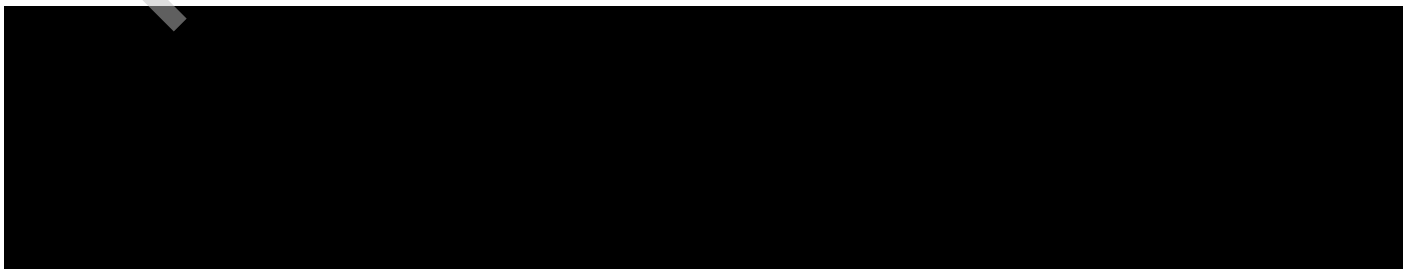


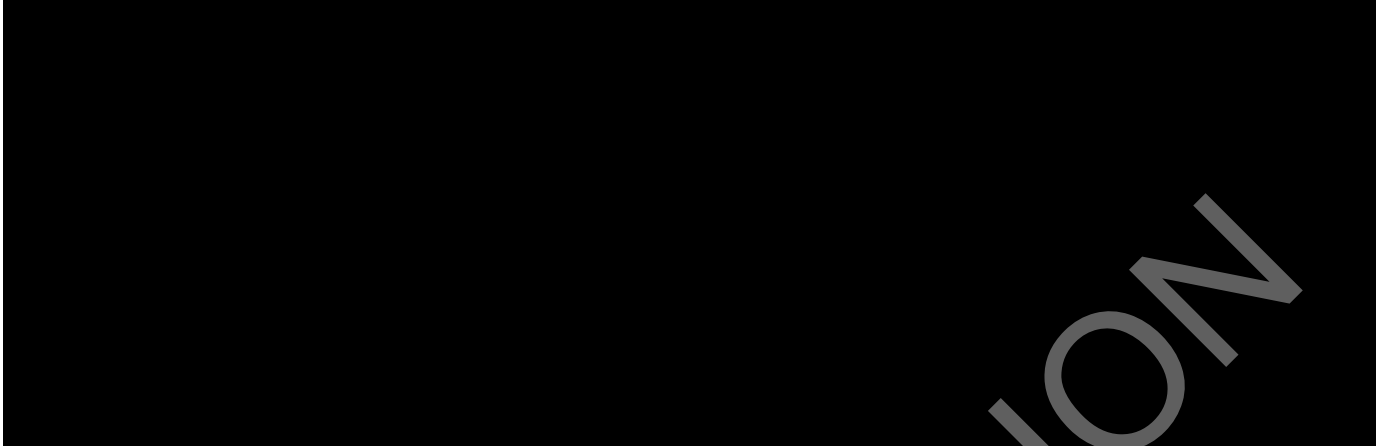
11.2 Prisoner food and drinks

While the prisoner is receiving treatment at the hospital, the provision of food and drink for a prisoner will remain at the medical discretion of Q Health.

Provision of food for the prisoner and timing of delivery is at the discretion of Q Health.

QCS staff are not to supply food or drink to a prisoner in the PAH under any circumstances.





12. Medical Information Requests

Escort officers are not to become involved in clinical discussions with or between medical staff. If there are any medical information requests Q Health staff are to be advised that they must contact the medical staff at the prisoner's placement centre.

Escort officers should only engage Q Health staff in a polite professional manner to maximise efficient, productive stakeholder relationships.

