



JUSTICE BEHIND BARS



Visitors Information Kit

This kit has been assembled with information that was correct at the time of writing. It is important to note that the information is general in nature and Queensland Corrective Services policies and procedures can change. Each prison may also have specific rules. To obtain further information please speak with the visits processing staff at the relevant prison or go to the Corrective Services website at www.correctiveservices.qld.gov.au.

Prisoner's Entitlement to Receive Visits

A prisoner is entitled to receive one visit a week from a personal visitor who has been granted access approval to enter the prison. Visits are considered a privilege and can be revoked at anytime for a breach of prison rules and regulations.

How to Apply for a Visit

Before visiting a prison for the first time, a personal visitor must apply for approval using a *Form 27 Application to Visit a Prisoner (Personal Visitor)*.

This form can be obtained:

- by contacting the relevant prison and having a form mailed out to you; or
- a form 27 can be downloaded from the Queensland Corrective Services (QCS) website; or
- use the form 27 that has been enclosed in this document (Appendix 1)

Once this form has been sent to the prison you wish to visit, administration staff will undertake a security check on you. This may take a few weeks as it may be necessary for a search of your criminal history to be obtained from the Queensland Police Service.

It is important to note that the **approval may take up to six (6) weeks**.

During this time you may be granted non-contact (otherwise known as “box”) visits. The General Manager (GM) or Assistant General Manager of the prison must make a decision about the application as soon as practicable.

Make sure you declare ANY convictions you may have on this form. If you have a criminal record in another State, please apply for a copy of you criminal history from the relevant State Police Service.

You must return the Form 27 to the prison along with photocopies of appropriate identification, which must be signed by a Justice of the Peace.

Accepted Proof of Identification:

Either by a current driver's licence or passport, or any three (3) of the following:

- Medicare card
- Pension or Social Security Card
- Birth Certificate
- Other photographic identification
- Credit or bank card with a signature
- A statutory declaration verifying the visitor's identity and signature which has been signed by a Justice of the Peace.

Visitors Must Have Access Approval:

A personal visitor must have access approval to enter a corrective service facility to visit a prisoner (apply via a form 27 below).

A visitor who has not returned an application form (form 27) prior to the visit (e.g. by posting or faxing the form to the facility) **may not** be granted access into a corrective services facility or may only be granted a non-contact visit. Alternatively, the prisoner may be able to contact you via telephone or video conferencing. Prisoners have to pay for the cost of telephone calls. You can deposit money into a prisoner's trust account to help pay for the cost of telephone calls. Contact the prison to find out the easiest way to deposit money.

The Assistant GM or GM looks at a large number of factors when deciding whether to grant access approval including but not limited to:

- Whether the visitor as an adult has been convicted of escaping attempting to escape from a prison or lawful custody
- Assisting an prisoner to escape from prison
- Attempting to assist a prisoner to commit an offence while visiting
- Whether the visitor has been refused access for any reason to a prison
- Or for any reason that could affect the good order and security of the prison

Once clearance is granted by the prison, you will be able to make a visit booking. All personal visits to a prisoner **MUST** be booked in advance during nominated booking times.

On each occasion that you enter the prison you must sign the visitors' book and provide proof of identification. You must bring approved identification with you **EVERY** time you visit the prison.

Each visitor's security clearance will be updated every 12 months. You will be requested to complete a further form 27 each year.

Prison Register Information:

The prison keeps a register of all people who have received security clearances, the register includes information on:

- the full name of the visitor
- date of birth of the visitor
- date of the security check
- file number of any criminal history of the visitor
- the prisoner(s) who is/are being visited

Refusal to Grant Access

If the GM is satisfied that the personal visitor poses a risk to the security and good order of a facility, the GM may refuse to grant access. You may also be restricted from making another application for access approval for up to one if your application is refused. If access approval is refused the personal visitor may ask for a review of the decision by applying in writing to the chief executive.

Write to:

The Chief Executive
Queensland Corrective Services
PO Box 1054
Brisbane Q 4001

The chief executive (who is an officer that holds a more senior position than the person who refused access) must reconsider the decision and has the option to confirm, amend or cancel the decision. It is important to note that refusal at one corrective service facility could mean refusal at all facilities.

If the chief executive also refuses to grant access to the prison, you can request a statement of reasons telling why you have been refused. You must make your request for a statement of reasons in writing to the chief executive within 28 days from the date you are informed of the refusal decision.

What to do once you receive a statement of reasons

The statement of reasons you receive about your access refusal may disclose an error in the decision-making process. If an unlawful error has been made by the decision-maker the decision to refuse you access approval may be challenged in the Supreme Court of Queensland. Once you have received a statement of reasons you should immediately seek legal advice about your chances of success on having the decision judicially reviewed. An application to review the decision by a court must be filed within 28 days of receiving the statement of reasons.

You can obtain legal advice from the Prisoners' Legal Service or the Queensland Public Interest Law Clearing House about the reasons for the decision. Send a copy of your statement of reasons, noting the date you received it to either PLS or QPILCH (PO Box 3631, South Brisbane Q 4101).

How can my access approval be suspended?

The general manager of a facility may or suspend access approval for a personal visitor if the visitor-

- fails to comply with the directions or conditions of access; or
- fails to comply with a lawful and reasonable direction of an officer; or
- is charged with an offence; or
- engages in threatening behaviour towards a prisoner, corrective service officer, or another visitor;
or
- is considered necessary to preserve the good order and security of the prison.

The suspension may be for a period of up to one year. If you are suspended for a year you must be provided with written reasons by the chief executive stating the reasons for the decision.

If you are charged with an offence alleged committed whilst in the prison, your access approval can be suspended until the end of court proceedings for the offence.

What do I do if my access approval is suspended or revoked?

If your access approval is suspended or revoked you can request a review by the chief executive. Follow the same process outlined above for refusal to be granted access.

If your access approval is suspended, regardless of the length of time, or revoked you can ask for a statement of reasons explaining why you have been suspended or why your approval has been revoked. If you are informed in writing of the decision to suspend or revoke your visits, you must make your request for reasons in writing to the person who made the decision about your access within 28 days of being informed. If you are told verbally that your access approval has been suspended or revoked you must make your request for reasons in writing within a reasonable time.

Entering Prison for a Visit

Biometric Identification System

What is it?

A biometric identification system scans the finger, looking for key points such as where ridges begin, end, branch off and merge, to create a mathematical template (a map). The template is stored on a computer database together with a photograph (optional), name, address, date of birth and identification verification details such as a drivers licence number.

Is the information protected?

Yes. The information is considered to be private details and is protected under section 341 of the Corrective Services Act 2006. Wrongful disclosures of the information is an offence and punishable by a substantial fine or imprisonment for up to 2 years.

Where an electronic scanning or biometric identification system is available at a corrective services facility, visitors 18 years of age or older must be registered on the system. The visitor must be processed on the system when accessing the facility.

If an adult registered on the identification system attends the facility with children under the age of 18 years, these children may enter the mantrap with the adult to gain access to the facility.

Is the visit monitored?

The chief executive may keep an audiovisual and/or visual recording of a prison visit.

Prison visiting times

The duration of a contact visit is approximately one hour. Please be aware that prison visiting times vary between prisons and constantly change to meet the requirements of the prison. For the most up to date information go to the QCS website or contact the relevant prison directly.

What to wear when you visit a prison

There are very strict rules about what you can wear when visiting a prisoner. You must wear proper shoes or sandals (no thongs), and your clothes must be clean and in good condition. You will not be allowed to wear clothes with obscene or offensive words or diagrams on them, or clothes that are revealing.

You are allowed to wear your wedding or engagement ring, but please remove all other jewellery before you come to the prison.

As every prison has its own system for visiting prisoners, please make sure you ring the relevant prison for additional information about bookings procedures and regulations.

Entering the prison

Please make sure that you arrive at the prison at least 45 minutes before your visit starts. If you are late, you may not be allowed to enter the prison.

When you arrive, go to the reception desk in the visits area to confirm your booking. If you have not already done so, complete an application form and show your identification. If you do not have the right identification, you will not be allowed to enter the prison.

Storage of visitor's possessions

Lockers or other appropriate storage facilities for the safe keeping of a visitor's possessions must be provided at high security prisons. QCS accepts no responsibility and liability for loss or damage caused to a personal visitor's possessions stored in a prison. It's best not to take any valuables with you when you visit the prison. Jewellery, other than wedding bands is prohibited.

Number of visitors

The number of persons allowed to visit and the length of time of the visit varies from prison to prison. As a general rule, most centres allow either one two-hour or two one-hour visits per week. Please contact the appropriate prison for further information.

What if the prisoner refuses a visit?

If a prisoner refuses to see a personal visitor, the visitor must be advised of this decision either by-

- the prisoner advising the visitor in person;
- the prisoner providing the refusal in writing, which must be handed to the visitor by a corrective services officer; or
- a corrective services officer, who has been advised by the prisoner of his/her decision, advising the visitor in person.

A supporting case note must be made on the prisoner management system.

Contact Visits

Contact visits are permitted in an area specifically designated for contact visits and which is within sight of a corrective services officer. A visitor must not enter a prisoner's accommodation. Contact visits are an extra privilege and specific approval must be given to have a contact visit. Approval for contact visits can be withdrawn. Sometimes non-contact visits will still be allowed even where contact visits are not approved.

During a personal visit, a personal visitor must-

- a. prove their identity when requested to do so;
- b. display their visitor's pass at all times;
- c. sign the visitor's book (adult to sign for a child visitor);
- d. comply with any directions from the supervising corrective services officer;
- e. not behave in a disorderly, indecent, offensive, riotous or violent manner; and
- f. not engage in any sexual activity with an prisoner.

Where a visitor, including a child, requires the use of toilet facilities during a contact visit session in a high security prisons, **the contact visit must be terminated**. The visitor should be offered to continue the visit session in the non-contact visit area if a non-contact visit booth is available.

Visiting a prisoner in Princess Alexandra Hospital Secure Unit

All requests to visit a prisoner in the Princess Alexandra Hospital Secure Unit (PAHSU) must be made to the prison at which the prisoner was last accommodated. If the prisoner was previously accommodated at a watch-house, the visit application must be made to-

- a. for a male prisoner-Arthur Gorrie Correctional Centre; or
- b. for a female prisoner-Brisbane Women's Correctional Centre.

A form 27 must be completed prior to visiting the prison hospital. If the form 27 had not been previously completed, the PAHSU must request the personal visitor to apply for a visit using form 27.

An inpatient suffering from a life threatening or terminal illness *may be provided with special visit privileges*. On the recommendation of the PAHSU Medical Director, the general manager of the sending prison may approve multiple and unrestricted access for approved visitors.

An inpatient, confined to bed, may be permitted an inpatient bedside visit. Such a visit must be conducted under constant supervision.

Security and Searches

In many prisons, you are likely to be subject to security screening with electronic drug detection devices or passive alert detector dogs. If you refuse to submit to a scan or search, or return a positive result, you may be refused entry to the prison or be limited to a non-contact visit. A police officer who reasonably suspects that a visitor is attempting to take a prohibited item into a prison or attempting to remove anything from a prison or attempting to interview or photograph a prisoner or part of a prison may stop, detain and search the visitor. If contraband is found, a visitor may be charged with an offence.

General and scanning searches

The search may, at the discretion of the custodial officer, be a general search or scanning search. A general search may involve being asked to reveal the contents of your bag or pockets. You may also be asked to open your hands or mouth for a visual inspection, or to shake your hair vigorously. The officer should not touch you at any point during the search.

A scanning search may involve being electronically scanned for metal objects or having an object passed over you such as an electronic drug detection device. This is commonly referred to as an ion scan. The machine used to detect drugs can be very sensitive. Make sure you are not wearing strong perfume. Try to avoid handling money, or touching public places before you attend a visit because minute particles of drugs can be picked up in public places like public toilets. You should not need to remove any of your general clothes or be touched during a scanning search.

Strip Searches

Only a police officer has the power to order a strip search of a visitor. A strip search must be conducted by an officer of the same gender as the visitor. If a police officer the same gender of the visitor is not available, the police officer can direct a corrective services officer of the same gender to undertake the strip search.

Strip searches must be conducted so as to minimise embarrassment while affording the visitor dignity.

The following method should be followed when a strip search is conducted on a visitor:

- the visitor must be instructed to remove clothing except underclothes and may be allowed to remain partly clothed during the search, however all clothing, including shoes, must be searched;
- the visitor must face the officer and spread his/her arms and legs for a visual search;
- the visitor must spread all fingers and display both open hands at the same time, turning them over for inspection;
- the visitor must run his/her fingers through his/her hair;
- the visitor's mouth and ears must be inspected;
- the visitor must raise each foot and wiggle the toes;
- the visitor must be instructed to remove upper underclothes as follows-
 - discretion may be used to allow the visitor to face away from the officer; and
 - the upper underclothes must be searched and returned to the visitor who may put them on;
- the visitor must then be instructed to remove the lower underclothes as follows-
 - discretion may be used to allow the visitor to face away from the officer; and
 - the lower underclothes must be searched and returned to the visitor who may put them on; and
- the searched outer clothing must then be returned to the visitor who may put them on.

If an item of clothing is seized during this search, suitable replacement clothing must be provided.

At no time should the officer touch a visitor while a strip search is being conducted.

Additionally, if a police officer reasonably suspects that a vehicle may have in it evidence of the commission of an offence as previously described, the officer may stop, detain and search the vehicle. If contraband is found, a visitor may be charged with an offence.

You must be informed about the conditions of entering the prison

The following signs will be visible on entering the prison:

- a. Notice to Visitors - Prohibited Things (consistent with QCS drug strategy);
- b. Notice to Visitors - Lethal Force; and
- c. Notice to Visitors - Appropriate Dress Standards.

As a visitor you must be advised of the conditions of access approval to a prison prior to entry to the prison. This advice must include requirements for compliance with all procedures, standards of dress and submission to any lawful searches that may be requested.

If you are undertaking a contact visit session in a high security prison you must be advised that use of toilet facilities during a contact visit session will result in the contact visit being terminated. In the event that a contact visit session is terminated for this reason, the visitor may be offered to continue the visit session in the non-contact visit area if a non-contact visit booth is available. Visitors should be advised to use toilet facilities in the visits processing area prior to entering the contact visit session.

If you are found to breach a condition of access approval or fail to comply with a direction of the general manager which prejudices the security and good order of a prison you may be directed to leave the prison. Reasonable force may be used to remove a visitor from a prison if the visitor fails to comply with a direction to leave the prison.

Your behaviour while visiting prison

Inappropriate behaviour by you or the person you are visiting will not be tolerated and may result in the termination of your visit.

Smoking is not allowed in many of the prisons.

Please make sure you keep an eye on your children at all times and ensure they do not interfere with or disturb other visitors or inmates during the visit period.

People who are believed to be under the influence of a substance will not be allowed to enter the prison.

Any visitor or prisoner, who fails to maintain an acceptable level of behaviour, after being cautioned, will have their visit terminated and their visiting privileges will be reviewed.

Children as Visitors

QCS has a strict prison visitor booking and processing system to ensure community safety and crime prevention standards are upheld. In particular, it must consider the best interests of children who visit an inmate at a prison.

Visitors should note the following conditions, which may apply to any visitor (new or existing):

- If you apply to bring a child to visit a prisoner, the General Manager of the prison must be satisfied that there is an established relationship between the prisoner and the child, and that there are no court orders preventing contact between the child and the prisoner.

- The General Manager must consider whether it is in the best interests of the child to allow a contact visit with a prisoner. The General Manager may impose conditions on the visitor and prisoner in the best interests of the child.
- If you are granted approval to bring a child into a prison, you will be asked to provide proof of the child's identity.
- If you are under the age of 18 and are not accompanied by an adult, you will be required to show proof of identity before being granted access to the facility.

Examples of suitable identification for children include:

a) One of the following:

1. Student identification card
2. Current passport
3. Any other identification card showing a recent photograph

OR

b) two of the following:

4. Current Medicare card
5. Current entitlement card issued by the Government
6. Birth certificate
7. Current student statement of enrolment
8. Education report less than six months old

- Before arriving for a visit, all visitors are advised to check visiting times as some of these may have changed since your last visit.
- The General Manager of the facility may approve contact or non-contact visits with a prisoner, regardless of the type of visits you have had before. Contact visits are personal visits during which there may be minimal direct physical contact between the prisoner and visitor. Non-contact visits are personal visits during which there is no direct physical contact between the prisoner and visitor.
- If you have any questions about identification, please contact the visits staff at the prison you wish to visit.

Child visiting a prisoner convicted of child sex offences

'Child sex offences' means a person has been charged with, or convicted of, a sexual offence in relation to a child under the age of 16 years.

Details to be provided to chief executive if approval given for child to visit a prisoner convicted of child sex offences.

The primary consideration for the general manager in deciding whether to approve a child's visit must be the best interests of the child. If the general manager approves a contact visit between a child and a prisoner, written confirmation of the approval must be immediately provided to the chief executive, stating the-

- a. names of the prisoner and visitors who have been approved the visit;
- b. nature of the relationship between the child and the prisoner;
- c. reasons for the approval;
- d. conditions attached to the granting of the approval; and
- e. date of approval.

The applicant must be notified that the approval for a child to visit a prisoner convicted of child sex offences (either as a contact or non-contact visit) is conditional upon the applicant providing proof of the identity of the child. Both prisoner and visitor should be advised of any special conditions attached to the granting of the approval of the visit.

If a child is refused access approval the same process should be followed as stated above at "[Refusal to Grant Access](#)."

Property Items

A visit is not the time or place to be giving money, papers or personal items to inmates. However, property items that have been approved prior to the visit can be given to the Visits Processing Officers at the time of your visit.

Property items include things such as socks, singlets, underclothes and clothes for court. Items such as cards, letters and photographs can be sent to an inmate through the mail or left with the Visits Processing Officers BEFORE your visit.

In many prisons, all incoming property for inmates must be pre-approved. The approved items and hand-in forms must be handed to visits staff BEFORE the visit starts. If you do not have a hand-in form, the items will not be accepted.

If you wish to deposit money into an inmate account, please have the correct amount and give it to the Visits Processing Officers BEFORE your visit.

No toiletries, food items, tobacco or cigarettes are allowed to be taken inside high security prisons for inmates.

Prohibited Items

In accordance with regulations, you may NOT bring the following items into a correctional centre, without authority:

- a weapon, replica of a weapon or replica under the Weapons Act 1990
 - an explosive or ammunition under the Explosives Act 1999
 - a flammable substance
 - anything capable of being used to scale a fence, wall, door or gate, including, for example, a grappling hook, ladder or rope
 - anything capable of cutting or spreading metal bars
 - anything capable of damaging or destroying a fitting or fixture designed to detain prisoners
 - a key, card or other device capable of opening a mechanical or electronic lock
 - soap or another substance that contains an impression of a prohibited thing, including, for example, a key
 - a knife, saw, scissors or another cutting implement
 - kitchen utensils, equipment or tools
 - a spirituous or fermented fluid or substance of an intoxicating nature
 - a drug or medicine
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- a syringe or other device capable of administering a drug
- cash, a credit card, debit card, cheque or money order or another negotiable instrument
- a passport
- a form of identification, including, for example, a false identification
- anything capable of being used to alter a prisoner's appearance so that it significantly differs from the prisoner's
- appearance described in the record kept under section 105 of the Act, including, for example, a tattooing device
- a communication device, including, for example, a computer, modem, phone, radio or radio scanner
- any of the following:
 - an objectionable computer game under the Classification of Computer Games and Images Act 1995
 - a film that is classified as an R film under the Classification of Films Act 1991, an objectionable film under the Act, or a film that, if it was classified under the Act, would be classified as an R film or an objectionable film
 - a prohibited publication under the Classification of Publications Act 1991
- anything that has been modified from its usual form to enable something to be concealed in it
- anything that poses a risk to the security or good order of a corrective services facility, including, for example, a drawing, plan or photo of the facility
- any part of a thing mentioned above, for example, the needle of a syringe

Legal Advice for Prisoners

Please note that Prisoners' Legal Service (PLS) cannot give family members or friends legal advice to pass on to a prisoner. If a prisoner has a matter that requires legal advice or assistance she/he needs to speak or correspond directly with a solicitor of our service.

Prisoners can telephone PLS free of charge from all prisons across Queensland on Tuesdays, Wednesdays and Thursdays between 9:00am – 1:00pm.

Prompts on how to call our service are located next to all phones within the prisons.



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Contact Prisoners' Legal Service:

<u>Prisoner Advice Line:</u>	Tuesday, Wednesday and Thursday, 9am to 1pm on the ARUNTA system
<u>Postal Address:</u>	GPO Box 257, Brisbane QLD 4001
<u>Administration Line:</u>	(07) 3846 5074

This broadsheet is intended to provide legal information only and is no substitute for legal advice. If you wish to take any action arising from matters raised in this publication you should consult a lawyer immediately.

*The information was current as at **23 January 2017**.*