

Australian Capital Territory

Corrections Management (Art and Craft) Policy 2018

Notifiable instrument NI2018-48

made under the

Corrections Management Act 2007, s14 (Corrections policies and operating procedures)

1 Name of instrument

This instrument is the *Corrections Management (Art and Craft) Policy 2018*.

2 Commencement

This instrument commences on the day after its notification day.

3 Policy

I make this policy to facilitate the effective and efficient management of correctional services.

4. Revocation

Nil.

Jon Peach
Executive Director
ACT Corrective Services
29 January 2018

ART AND CRAFT POLICY

POLICY NO. 4

ACT CORRECTIVE SERVICES

NI2018-48



ACT
Government

Justice and Community Safety

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1 STATEMENT OF PURPOSE

ACT Corrective Services (ACTCS) supports the rehabilitation of detainees through recreational activities such as arts and craft. This policy sets out a framework for the production, transfer and sale of work created by detainees.

2 SCOPE

This policy applies to all ACT correctional centres.

3 PRINCIPLES

The following principles apply:

General

- ACTCS recognises the importance of the development of vocational skills for detainees.
- In accordance with relevant legislation, ACTCS maintains the right to regulate all aspects of the production, storage, transfer and sale of works produced.
- A detainee retains full intellectual property, moral and image rights, copyright and the right of possession to a detainee, unless expressly waived by the detainee.

Aboriginal and Torres Strait Islander Detainees

- ACTCS provides opportunities and encourages Aboriginal and Torres Strait Islander detainees to express themselves and connect with their cultural heritage through culturally-specific art and craft programs and activities.
- If art and craft utilises Aboriginal or Torres Strait Islander themes, motives or designs it must be respectful of the artists Indigenous Cultural and Intellectual Property (ICIP) rights in relation to authorised use and heritage rights.

Sale of items

- ACTCS prohibits any private sale arrangements or the commissioning of art produced by detainees without the approval of the General Manager or their delegate.
- Detainees engaging in arts and craft programs will be granted access to sell their artwork through specific avenues facilitated by ACTCS, with the approval of the General Manager.
- ACTCS are entitled to make legitimate and appropriate recovery of costs incurred in the production of art and craft, where the art or craft has been on sold.

- Any financial gain made by a detainee as a result of selling their art or craft as part of an exhibition, consignment arrangement, or participation in an ACTCS facilitated competition, may be subject to a Victims of Crime Levy.

4 DEFINITIONS

Heritage

All objects, sites and knowledge, the nature the use of which has been transmitted or continues to be transmitted from generation to generation. Included are aspects covering stories, ceremonies, symbols and designs.

Moral rights

Right of attribution: this is the right of an author to be identified and named as the author of his/her work; Right against false attribution: this is the right of an author to stop someone else being credited as the author of their work; and Right of integrity: this is the right of an author to ensure that his/her work is not subjected to derogatory treatment which is any act in relation to the work that is in any manner harmful to the author's honour or reputation.

Copyright

The exclusive and assignable legal right, given to the originator for a fixed number of years, to print, publish, perform, film, or record literary, artistic, or musical material.

Image rights

The expression of a personality within the public domain. The provision of image rights in law enables the definition, value, commercial exploitation and protection of image rights associated with a person.

5 RELATED DOCUMENTS

- Art and Craft Operating Procedure
- Aboriginal and Torres Strait Islander Detainee and Offender Policy
- Detainee Services Policy

Jon Peach
Executive Director
ACT Corrective Services
29 January 2018

Document details

Criteria	Details
Document title:	Art and Craft Policy
Document owner/approver:	Executive Director, ACT Corrective Services
Date approved:	
Date effective:	
Review date:	Three years after the date of notification
Expiry date:	Nil
Compliance with law:	This policy reflects the requirements of the <i>Corrections Management (Policy and Operating Procedure Framework) Policy 2017</i>
Responsible officer:	Head of Detainee Services

Version control

Version	Notification date	Instrument
Version 1		