

Corrections Management (Art and Craft) Policy 2019

Notifiable instrument NI2019-24

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 2019*.

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

This instrument revokes the *Corrections Management (Art and Craft) Policy 2018* [NI2018-48].

Jon Peach
Executive Director
ACT Corrective Services
15 January 2019

ART AND CRAFT

POLICY NO. D7

ACT CORRECTIVE SERVICES



ACT
Government

Justice and Community Safety

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1 PURPOSE

ACT Corrective Services (ACTCS) is committed to ensure art and craft material is available for recreational activities and managed in a transparent manner for transfer and/or sale once completed.

2 SCOPE

This policy applies to all correctional centres in the ACT.

3 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.

4 PRINCIPLES

General

- 4.1 ACTCS recognises the importance of the development of vocational skills for detainees.
- 4.2 ACTCS maintains the right to regulate all aspects of the production, storage, transfer and sale of works produced in accordance with relevant legislation.

- 4.3 A detainee retains full intellectual property, moral and image rights, copyright and the right of possession, unless expressly waived by the detainee.

Aboriginal and Torres Strait Islander Detainees

- 4.4 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.
- 4.5 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

- 4.6 ACTCS prohibits any private sale arrangements or the commissioning of art produced by detainees without the approval of the General Manager Custodial Operations or their delegate.
- 4.7 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 Custodial Operations.
- 4.8 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 sold, according to the *Detainee Trust Fund Management Policy*.
- 4.9 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 also be subject to a Victims of Crime Levy.

5 RELATED DOCUMENTS

- A – Art and Craft Operating Procedure
- B – Aboriginal and Torres Strait Islander Detainee and Offender Policy
- C – Detainee Services Policy
- D – Detainee Trust Fund Management Policy



Jon Peach
Executive Director
ACT Corrective Services
15 January 2019

Document details

Criteria	Details
Document title:	Corrections Management (Art and Craft) Policy 2019
Document owner/approver:	Executive Director, ACT Corrective Services
Date effective:	The day after the notification date
Review date:	Three years after the notification date
Compliance with law:	This policy reflects the requirements of the <i>Corrections Management (Policy Framework) Policy 2018</i>
Responsible officer:	Head of Detainee Services

Version Control			
Version no.	Date	Description	Author
V1	January-18	First Issued	A Campbell
V2	January-19	Update	P Cubitt