

Australian Capital Territory

Corrections Management (Custodial Case Management Remand) Operating Procedure 2022

Notifiable instrument NI2022–448

made under the

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

1 Name of instrument

This instrument is the *Corrections Management (Custodial Case Management Remand) Operating Procedure 2022*.

2 Commencement

This instrument commences on the day after its notification day.

3 Operating Procedure

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

Ray Johnson APM
Commissioner
ACT Corrective Services
06 September 2022



OPERATING PROCEDURE	Custodial Case Management Remand
OPERATING PROCEDURE NO.	CM1.1
SCOPE	Alexander Maconochie Centre

STATEMENT OF PURPOSE

To provide instructions to staff on the process for case management of detainees held on remand in the Alexander Maconochie Centre (AMC).

This OP outlines the treatment for non-convicted detainees or those detainees on remand in line with the *Corrections Management Act 2007 (CM Act)*:

- Section 10 of the CM Act states that a detainee on remand must be presumed innocent of any offence for which they are remanded, and that detention is not imposed as punishment of the detainee on remand.
- Section 44 of the CM Act states the Director-General must make a corrections policy or operating procedure providing for different treatment of convicted and non-convicted detainees.
- In addition, the ACT Corrective Services' Integrated Offender Management (IOM) Framework adopts a targeted approach to a range of activities that will be offered to different categories of offenders and detainees.

PROCEDURES

1. Induction

- 1.1. The Case Management Unit Team Leader must assign an AMC Case Manager (Remand) to a detainee held on remand. Remandees who are also sentenced detainees in relation to another offence must be allocated an AMC Case Manager (Sentenced).
- 1.2. An AMC Case Manager (Remand) must undertake a Remand Induction Meeting with remandees within five (5) business days of their reception into the AMC.
- 1.3. At the commencement of the remandees first meeting, the AMC Case Manager (Remand) must inform the remandee of the limits of confidentiality and that their participation in all interactions with their AMC Case Manager (Remand) are always voluntary.
- 1.4. At the Remand Induction Meeting, the AMC Case Manager (Remand) must:
 - a. make the remandee aware of their upcoming court date
 - b. ensure the remandee can access legal representation and is aware of how to maintain contact with legal representation
 - c. provide the remandee with practical information regarding the operations of the AMC dependent on the needs of the remandee to prepare them for their custodial period.

- 1.5. At the Remand Induction Meeting, the AMC Case Manager (Remand) must provide the remandee with relevant information for their time in custody dependent on the needs of the remandee (which must be identified during the induction process) and must discuss the remandee's basic welfare and reintegration needs.
- 1.6. During induction, the AMC Case Manager (Remand) must determine the minimum amount of contact they must have with the remandee based on the remandee's level of need identified. Level of need is impacted by factors including but not limited to:
 - a. upcoming court dates/possible release dates
 - b. willingness to engage in suitable programs
 - c. significant event within the AMC
 - d. significant event within their family
 - e. engagement with NDIA
 - f. any other significant change
- 1.7. The AMC Case Manager (Remand) must record the Remand Induction Meeting on CORIS within one working day of the meeting occurring.

2. Psycho-Social Assessments

- 2.1. The AMC Case Manager (Remand) must ensure the timely assessment and response to the psycho-social needs of the remandee. The AMC Case Manager (Remand) may take steps such as asking the remandee questions and observing remandee behaviours during induction, Remand Management Planning, and other engagements to assess psychosocial needs.
- 2.2. In all instances where a remandee reports the need for assistance or when the AMC Case Manager (Remand) assesses that that referral/follow up is required, the AMC Case Manager (Remand) must contact the relevant support/service to respond to the remandee's psycho-social needs as soon as practicable.
- 2.3. The AMC Case Manager (Remand) must only refer to supports and services with the clear and expressed consent of the remandee in question, except in situations where the AMC Case Manager (Remand) is concerned that the remandee may be 'At Risk', in which case the AMC Case Manager (Remand) must comply with the requirements of the *Management of Detainees At-Risk of Suicide or Self-Harm Policy 2022*. Where the remandee has provided consent, this must be recorded as a case note on their electronic file or on the referral form where available.
- 2.4. In all instances where an AMC Case Manager believes that a remandee may be at risk of self-harm or suicide, they must ensure that all appropriate and necessary precautions and actions are undertaken to ensure the safety and wellbeing of the remandee, as per the *Management of Detainees At-Risk of Suicide or Self-Harm Policy 2022*.

3. Addressing Welfare and Reintegration Needs of Remandees

- 3.1. The AMC Case Manager (Remand) must seek to identify and respond to the basic welfare and reintegration needs of a remandee throughout their period of engagement with the remandee. The AMC Case Manager (Remand) may take steps such as asking the remandee questions and observing remandee behaviours during induction, Remand Management Planning, and other engagements to identify basic welfare and reintegration needs.

- 3.2. The AMC Case Manager (Remand) must facilitate a remandee’s access to legal representation throughout their time on remand by:
- a. providing the remandee with a legal aid application
 - b. assisting the remandee to complete the application if required
 - c. emailing the application to Legal Aid
 - d. ensuring the remandee is aware of how to contact Legal Aid via phone
- 3.3. When identifying and addressing the reintegration needs of remandees, the AMC Case Manager (Remand) must focus on the following pillars of reintegration:

Reintegration Pillar	Content/Consideration
Accommodation	<ul style="list-style-type: none"> • Where does the remandee plan to reside upon release? (Note: address, contact details of co-resident(s) etc) • If uncertain, what are the remandee’s other accommodation options?
Basic Needs	<ul style="list-style-type: none"> • What does the remandee need upon release i.e. clothing, transport, identification?
Health	<ul style="list-style-type: none"> • Will identified health issues/concerns be appropriately managed upon release? By whom?
Connections/Companions	<ul style="list-style-type: none"> • Does the remandee have established connections / family / companions in the community? • Does the remandee have parental and/or caring responsibilities?
Financial Wellbeing	<ul style="list-style-type: none"> • Has Centrelink been arranged? • Banking?
Leisure/Recreation	<ul style="list-style-type: none"> • How will the remandee be spending their free time when released from custody?

- 3.4. The AMC Case Manager (Remand) must seek to respond to any identified reintegration needs by assisting remandees to contact or be referred to appropriate services, agencies and supports. Where required and appropriate, and with the consent of the remandee recorded either on their electronic file or on the referral form (where applicable), the AMC Case Manager may act as primary agent in the communication between these supports.
- 3.5. The AMC Case Manager (Remand) must also provide remandees with information about ACTCS’s Reintegration Unit who are able to provide voluntary assistance to remandees once they are released. The AMC Case Manager (Remand) must seek the consent of each remandee to engage with the Reintegration Unit during their remand period by asking them to sign the Reintegration Unit consent form.
- 3.6. The AMC Case Manager (Remand) may also refer the remandee to the Justice Housing Project (JHP) for accommodation and case management support provided by CatholicCare

4. Remand Management Plan

- 4.1. The AMC Case Manager (Remand) may develop a meaningful Remand Management Plan that seeks to address a remandee's basic welfare and reintegration needs for all remandees who have been remanded in the AMC for more than four (4) weeks. The Remand Management Plans must be drafted as a collaborative effort between the AMC Case Manager (Remand) and the remandee, including information and perspectives provided by the remandee.
- 4.2. Remandees must be provided the opportunity to provide feedback on their drafted Remand Case Plan before finalisation, to ensure that the remandee can meaningfully contribute to the plan.
- 4.3. The Remand Management Plan must identify the contact frequency assessed as suitable by the AMC Case Manager (Remand) based on level of need and next court date.
- 4.4. Remand Case Management Plans do not require the review or approval of the AMC Case Management Unit Team Leader.
- 4.5. The AMC Case Manager (Remand) must provide a copy of the Remand Management Plan to the remandees allocated Custodial Officer (CO) via email within 1 business days of the plan being finalised.
- 4.6. Remandees who are incarcerated for less than four (4) weeks do not require a Remand Management Plan.

5. Programs and Interventions

- 5.1. AMC Case Managers (Remand) must provide remandees the opportunity, but not compulsion, to participate in work and programs in custody. They must support and encourage all remandees, through strategies such as Motivational Interviewing and the Five-Minute Intervention (FMI) programme, to utilise their custodial period productively through active engagement with interventions and self-development opportunities.
- 5.2. The AMC Case Manager (Remand) must prioritise referrals based upon the expressed and assessed reintegrative and rehabilitative needs of the remandee and must seek the consent of the remandee before any referral.
- 5.3. The AMC Case Manager (Remand) must oversee engagement of brief non-criminogenic interventions where available which are facilitated by the Corrections Programs Unit (CPU). These non-criminogenic interventions include six Brief Intervention Programs (BIP) and six self-paced booklets that remandees can complete on their own. Remandees may self-refer in person or via email to the CPU. AMC Case Managers (Remand) may also refer remandees to BIPs by email to: CorrectionsProgramsUnit@act.gov.au
- 5.4. The AMC Case Manager (Remand) may refer a remandee to the Solaris Therapeutic Community (Solaris TC) if they have expressed a wish to address alcohol and drug related issues during their custodial period. For all referrals, the AMC Case Manager (Remand) must submit the Program Referral Form to the Solaris TC email address: AMC_TC@act.gov.au
- 5.5. The AMC Case Manager (Remand) must inform all remand detainees seeking referral to the Solaris TC program that they may be assessed as unsuitable for the program due to their

remand status and acceptance into the program will be at the discretion of the Solaris TC Team Leader.

- 5.6. The AMC Case Manager (Remand) may also facilitate referrals to the ACTCS Supports and Interventions Unit for those remandees with vulnerabilities because of mental health, disability and/or other complex needs and who may benefit from assisted care or one on one interventions, such as counselling. For all referrals to the ACTCS Supports and Interventions Unit, the AMC Case Manager (Remand) must submit the ACTCS Supports and Interventions Unit referral form to the ACTCS Supports and Interventions Unit email address: ACTCSspecialistcommunities@act.gov.au
- 5.7. If a remandee expresses an interest in being referred to AMC Employment, the AMC Case Manager (Remand) must advise the remandee to speak with the accommodation area's Custodial Officer (CO) who must facilitate this.
- 5.8. If a remandee expresses an interest in being referred to the AMC Chaplain or Seasons for Growth, the AMC Case Manager (Remand) must contact the AMC Chaplain by email: Peta.Thorpe@act.gov.au
- 5.9. The AMC Case Manager (Remand) must monitor the remandee's engagement in any programs and interventions they have been referred to and liaise with the relevant staff member to address any concerns. The AMC Case Manager Remand may take steps such as checking case notes on CORIS, speaking with the remandee, and speaking with program facilitators to monitor engagement.

6. Working with Women Remandees

- 6.1. To provide the best support to women remandees, women remandees must be allocated to a female AMC Case Manager (Remand) who works specifically with women remandees and detainees.
- 6.2. AMC Case Managers (Remand) must ensure a working knowledge of the Working with Trauma Using Gender Informed Principles – A Practice Guide and ensure they engage in trauma informed practice.
- 6.3. AMC Case Managers (Remand) may provide the following assistance to women remandees with their consent:
 - a. referring the remandee to Toora Women Inc and their Coming Home Program to assist remandees with establishing supports for release. Toora can offer case management and accommodation support within a gender and trauma informed framework
 - b. referring the remandee to the Justice Housing Project (JHP) for accommodation and case management support provided by CatholicCare
 - c. working with Custodial Officers and the Women's Coordinator to provide extended visits with family and children
 - d. supporting pregnant remandees and remandees whose children are now under the care of ACT Child and Youth Protection Services (ACT CYPS) or a child protection agency in another jurisdiction by attending case conferences and liaising with these agencies
 - e. coordinating case conferences with other internal and external referrals for women remandees with complex needs

- f. completing referrals to the Reintegration Unit to provide support to women remandees on their release from the AMC.
- 6.4. The AMC Case Manager (Remand) must work with all women remandees to identify and support victim survivors of family and domestic violence. The AMC Case Manager (Remand) may take steps such as asking questions during engagement with the remandee and reviewing CORIS records to identify victim survivors of family and domestic violence.
 - 6.5. Where it is identified a woman remandee may be a victim survivor of family and domestic violence, the AMC Case Manager (Remand) must complete the Family Violence Safety Action Plan (FVSAP) Risk Assessment tool with the woman remandee's consent to determine the risk of further or escalating violence for that woman on her release. The AMC Case Manager must complete this assessment within three business days of the AMC Case Manager (Remand) becoming aware of FDV concerns.
 - 6.6. The AMC Case Manager (Remand) must refer any woman remandee that consents and has been assessed as high risk using the FVSAP Risk Assessment tool to the FVSAP by using the FVSAP Client Referral form and emailing it to: FVSAP@act.gov.au
 - 6.7. The FVSAP may work collaboratively with the woman remandee and the AMC Case Manager (Remand) to devise a response plan to reduce or mitigate the risk or escalation of violence on their release from custody.
 - 6.8. Risk analysis and response planning by the AMC Case Manager (Remand) and FVSAP must be informed by a 'follow her lead' approach to the victim survivor and a perpetrator pattern-based response.

7. Working with Aboriginal and Torres Strait Islander Remandees

- 7.1. AMC Case Managers (Remand) must acknowledge and understand historical and contemporary disadvantage experienced by Aboriginal and Torres Strait Islander people and the implications this has on their work. Information, support and advice can be sought from the Aboriginal and Torres Strait Islander Services Unit.
- 7.2. The AMC Case Manager (Remand) must regularly liaise with the Aboriginal Liaison Officer (ALO) when working with Aboriginal and Torres Strait Islander remandees.
- 7.3. The AMC Case Manager (Remand) must provide a copy of the Remand Management Plan to the ALO (prior to its finalisation) to ensure the supports and interventions being provided to the remandee are culturally appropriate and supports offered by the two teams are consistent and not duplicated.

8. Monitor and Review

- 8.1. According to Best Practice Guidelines, the AMC Case Manager (Remand) must have face to face contact with a remandee at induction, at the one-month mark for the development of a Management Plan and based on level of need as identified during the induction and/or Management plan. The AMC Case Manager (Remand) may only engage with the remandee with the remandee's consent.

- 8.2. The level of need of the remandee may fluctuate over time. The AMC Case Manger (Remand) must consider the level of need of the remandee when determining the level of contact they have with the remandee. Level of need is impacted by factors including but not limited to:
- a. upcoming court dates/possible release dates
 - b. disengagement from programs
 - c. significant event within the AMC
 - d. significant event within their family
 - e. engagement with NDIS
 - f. any other significant change
- 8.3. During the above periods of time, the AMC Case Manager (Remand) must consult with the Team Leader to decide on the level of contact appropriate to the remandee’s level of need.
- 8.4. During these episodes, the AMC Case Manager (Remand) is to have face to face contact with the remandee at a minimum of once every two weeks until it is determined by the AMC Case Manager (Remand), in consultation with the Team Leader, that minimum contact levels can recommence.
- 8.5. The AMC Case Manager (Remand) must organise a case conference and case plan review when the AMC Case Manager (Remand) and Team Leader have determined that minimum contact levels can recommence.

9. ACTCS Partnerships

- 9.1. AMC Case Mangers (Remand) must build partnerships with areas of ACTCS.
- 9.2. Partnerships with AMC Executive Support:
- a. the AMC Case Manager (Remand) must liaise with AMC Executive Support to add telephone numbers and emails for remandees if they need to contact specific services that are not whitelisted.
 - b. the AMC Case Manager (Remand) must coordinate and connect external agencies to book AVL’s so they can speak with remandees directly. The external agency can book AVLs through the AMC AVL email: AVLAMCBookings@act.gov.au
- 9.3. Partnerships with Custodial Officers (CO):
- a. COs provide a safe environment for AMC Case Managers (Remand) to interact with remandees. AMC Case Managers (Remand) must collaborate and coordinate actively with COs in the identification and resolution of remandees needs and concerns.
 - b. AMC Case Managers (Remand) must respond to requests made by COs on a wide range of case management issues, including making referrals to appropriate support services such as Forensic Mental Health, Chaplaincy, ALO, and Specialist communities.
 - c. AMC Case Managers (Remand) must ensure they provide COs with any information significant to their engagement with remandees and must actively seek information and insight from area CO’s regarding the wellbeing and needs of remandees.
 - d. COs may act as a “go between” when AMC Case Managers (Remand) are unable to attend accommodation areas or meet with remandees in person due to operational

difficulties. This includes providing information to remandees to ensure they are kept well informed.

9.4. Partnerships with Community Corrections:

- a. for those remandees subject to an Order for a Report (Pre-Sentence Report, Intensive Corrections Order Assessment Report, Drug and Alcohol Treatment Assessment) by either the Supreme or Magistrate's Court, the AMC Case Manager (Remand) may regularly liaise with the remandee's allocated CCO.
- b. at a minimum, the AMC Case Manager (Remand) must make themselves available to speak with the CCO (if required) about the Remand Management Plan and any referrals made.

10. Information Sharing

- 10.1. An AMC Case Manager (Remand) must only request information from a stakeholder or respond to a request for information about a remandee on their caseload when exercising a function under legislation and/or administering a case plan.
- 10.2. When requesting or providing information to, or from, a stakeholder, the AMC Case Manager (Remand) must have a purpose, scope, and authority for requesting or providing the information.
- 10.3. Unless there is a legal impediment to release information, the AMC Case Manager (Remand) must action the request. If the AMC Case Manager (Remand) is unclear about the lawful basis to release information or whether disclosure is reasonably necessary and justifiable, they must consult with the AMC Case Management Unit Team Leader.
- 10.4. All requests for information must be made in writing (email) and include the purpose, scope, and authority. The request and response must be recorded on CORIS by the AMC Case Manager (Remand) within one business day of the request being finalised.
- 10.5. All information requests must comply with the requirements of the [Requesting information and responding to information requests Operating Procedure](#).
- 10.6. If a remandee requests an AMC Case Manager (Remand) provide information to an internal or external stakeholder, the AMC Case Manager (Remand) must obtain this request in writing. To support those remandees who may have difficulty in providing this request in writing, the AMC Case Manager (Remand) may hand write this request and have the remandee sign.
- 10.7. If a remandee provides an AMC Case Manager (Remand) with information that indicates harm to another person, including a child or the commission of an offence, the AMC Case Manager (Remand) must provide this information to the relevant authority. For example, ACT Child and Youth Protection Services or ACT Policing.

11. Sentencing – Re-allocation

- 11.1. Upon observing that a detainee allocated to an AMC Case Managers (Remand) has received a custodial sentence, the AMC Case Manager (Remand) must immediately notify the AMC Case Management Unit Team Leader of this change in legal status.

- 11.2. Upon being notified of the change in legal status from Remand to Sentenced, the AMC Case Management Unit Team Leader must re-allocate the detainee to an AMC Case Manager (Sentenced) or Reintegration Case Manager within two (2) business days.
- 11.3. Upon being re-allocated, the AMC Case Manager (Sentenced) or Reintegration Case Manager must contact the detainee within five (5) business days, introducing themselves and ensuring the detainee is made aware of how they can contact their new case manager.
- 11.4. Wherever possible, the AMC Case Manager (Remand) must attend the initial meeting between the AMC Case Manager (Sentenced) or Reintegration Case Manager and detainee to provide support and handover.

RELATED DOCUMENTS

- Integrated Offender Management Framework
- Case Management Policy
- Crimes (Sentencing) Act 2005 (CSA)
- Crimes (Sentence Administration) Act 2005 (CSAA)
- Management of Detainees at Risk of Suicide or Self-harm Policy 2022
- Working with Trauma Using Gender Informed Principles – A Practice Guide
- Requesting information and responding to information requests Operating Procedure

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 ACT Corrective Services
 01 September 2022

Document details

Criteria	Details
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Compliance:	This operating procedure reflects the requirements of the <i>Corrections Management (Policy Framework) Policy 2022</i>

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