

Australian Capital Territory

Corrections Management (Transitional Release Sponsors (Community-based Employment)) Operating Procedure 2023

Notifiable instrument NI2023–77

made under the

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

1 Name of instrument

This instrument is the *Corrections Management (Transitional Release Sponsors (Community-based Employment)) Operating Procedure 2023*.

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 corrections services.

Ray Johnson ^{APM}
Commissioner
ACT Corrective Services
15 February 2023



OPERATING PROCEDURE	Transitional Release Sponsors (Community-based Employment)
OPERATING PROCEDURE NO.	D26.10
SCOPE	Transitional Release

STATEMENT OF PURPOSE

To provide instructions to Transitional Release staff, namely Offender Reintegration (OR) Employment Officers on processing workplace and sponsor applications for detainees accessing Transitional Release for employment.

PROCEDURES

1. Nominating sponsor/s

- 1.1. As part of the Transitional Release application process and the development of the Transitional Release Case Plan, the detainee may have identified potential employers for community-based employment.
- 1.2. Alternatively, an OR Employment Officer may identify a potential community-based employer for a detainee in Transitional Release.
- 1.3. An OR Employment Officer must complete the assessment of any potential employer in line with the *D26.8 Transitional Release Community-based Employment Operating Procedure*.
- 1.4. An OR Employment Officer must work with the potential employer to identify possible sponsors for the detainee while they are at work. It is recommended a minimum of three sponsors are identified to ensure the detainee is still able to attend work if one of their sponsors is on planned or unplanned leave.
- 1.5. In stage two of Transitional Release, the detainee must work with an OR Employment Officer to complete the assessment process for any potential sponsors who can potentially assist in community-based employment.

2. Assessing Sponsor/s

- 2.1. An OR Employment Officer must ensure any proposed sponsors identified by the employer meet the following minimum criteria prior to commencing any further assessment:
 - a. sponsors must be 25 years of age or older (sponsors aged 18-24 may be considered on a case-by-case basis)
 - b. sponsors must not have any pending charges and must disclose any previous offences they may have been convicted of
 - c. be willing to undertake a National Criminal History Check

- 2.2. Potential sponsors who disclose previous convictions (in accordance with section 2.1.b.) are not automatically excluded from being a sponsor. Decisions are made on a case-by-case basis, with regards to the nature of the previous conviction, the relationship to the detainee etc.
- 2.3. If the proposed sponsor meets the minimum eligibility criteria above, an OR Employment Officer must make contact with the proposed sponsor to confirm their willingness to be assessed as a sponsor for the detainee and to undertake a sponsor assessment
- 2.4. An OR Employment Officer must meet with the sponsor at the Transitional Release Centre (TRC) or agreed venue offsite and guide the proposed sponsor through the D26.F8: Sponsor Nomination and D26.F9: Sponsor Agreement and answer any/all questions.
- 2.5. The potential sponsor must agree to and sign the D26.F8: Sponsor Nomination and D26.F9: Sponsor Agreement for the sponsorship process to be able to continue. If the potential sponsor does not agree to sign, the application must not proceed.
- 2.6. A National Criminal History Check certificate must be received by ACTCS prior to any leave being approved. This process may commence once the Sponsor Nomination Form has been received by an OR Employment Officer. Potential sponsors must be provided with the following link so they are able to educate themselves about the dispute process in the event they do not agree with the outcome of the National Police Check:
<https://www.acic.gov.au/our-services/national-police-checking-service/find-out-more-information/appeals-and-disputes>. An OR Employment Officer must support the potential sponsor to access information contained in the link where required.
- 2.7. An OR Employment Officer must request information regarding the suitability of the sponsor from the following parties:
 - a. ACTCS Intelligence Unit
 - b. Victim Liaison Office (VLO)
 - c. the detainee's allocated Case Manager.
- 2.8. An OR Employment Officer must provide the following to the Director Reintegration for a decision:
 - a. D26.F8: Sponsor Nomination form
 - b. D26.F9: Sponsor Agreement
 - c. National Criminal History Check Certificate for all sponsors
- 2.9. Where possible, all sponsor assessments for community-based employment must be finalised within stage two of Transitional Release.

3. Sponsor Approval

- 3.1. The Director Reintegration must consider all relevant information and decide whether to approve or reject the nominated sponsors. The outcome must be provided to an OR Employment Officer
- 3.2. The detainee must be advised of the outcome by an OR Employment Officer.
- 3.3. Where a sponsor has been rejected, reasons must not be provided to the detainee or the nominated sponsor, where doing so may jeopardise the safety of any person, or security or good order at the correctional centre.

3.4. An OR Employment Officer must upload all documents relating to sponsorship onto CORIS.

RELATED DOCUMENTS

- Transitional Release Policy
- Transitional Release Case Planning Operating Procedure 2022
- Transitional Release Case Management Plan Template
- Transitional Release Staged Approach to Reintegration Operating Procedure 2022
- Transitional Release Leaves (Excluding Community-based Employment) Operating Procedure 2022



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ACT Corrective Services
25 January 2023

Document details

Criteria	Details
Document title:	<i>Transitional Release Sponsors (Community-based Employment) Operating Procedure 2023</i>
Document owner/approver:	Assistant Commissioner Offender Reintegration, ACT Corrective Services
Date effective:	The day after the notification date
Review date:	3 years after the notification date
Responsible Officer:	Senior Director Offender Reintegration
Compliance:	This operating procedure reflects the requirements of the <i>Corrections Management (Policy Framework) Policy 2022</i>

Version Control			
Version no.	Date	Description	Author
V1	September-22	First Issued	L Spulak