



## Commissioner's Instruction

No: 01/2007

To: *Board of Management  
Regional Executive Directors  
General Managers/Superintendents  
Area/District Managers, Community Offender Services  
Director Offender Policy  
Director Corporate Strategy*

### For the information of all staff

Subject: Inappropriate E-mail

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#### **PREAMBLE**

This Instruction is issued in accordance with the provisions of section 235B of the *Crimes (Administration of Sentences) Act 1999*. Commissioner's Instructions amount to lawful orders and any staff member who intentionally disobeys or disregards this Instruction, or is found to be negligent in the performance of their duties, may be liable to disciplinary action under the *Public Sector Employment & Management Act 2002*.

#### **INSTRUCTION**

The attention of all employees is again drawn to the issue of improper use of the Department's Intranet and Internet systems and a strong reminder is issued that appropriate action will be taken against any member of staff who breaches this direction.

The introduction and distribution of pornography and other sexually explicit material will attract disciplinary action, and officers are hereby put on notice that conduct of this nature will be dealt with severely. Any member of staff who receives such an e-mail from another employee is under a duty to report the incident to a supervisory officer. Action will be taken against any member of staff who fails to do so.

Staff are advised that monitoring of internal e-mail accounts will be conducted from time to time to identify inappropriate material.

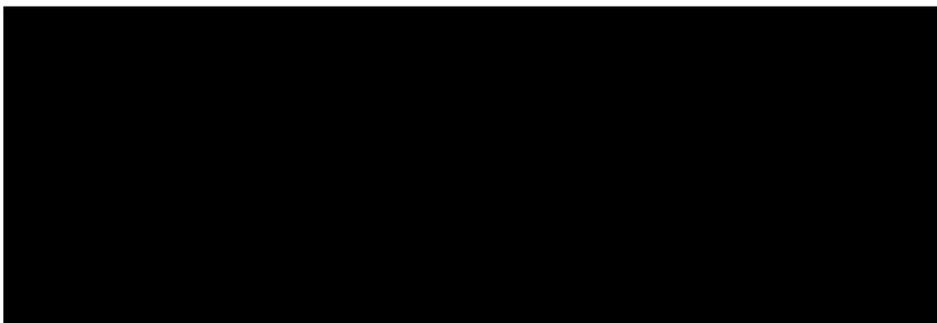
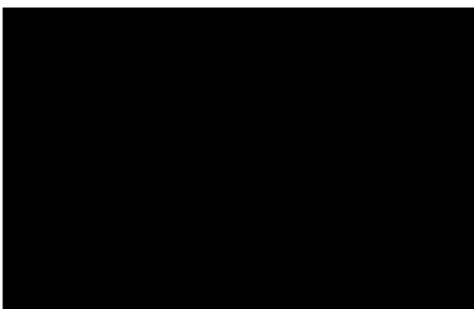
Managers are reminded that local action may be taken in respect of other identified breaches of policy. Games, jokes and other non-work related e-mails and attachments should not be distributed via Departmental systems and I expect managers to address any cases that are identified. The Minor

Misconduct Database (Catsi) should be utilised in appropriate cases and more serious cases or repeat offending should be referred to the Professional Conduct Management Committee (PCMC) for further consideration.

I am also concerned about recently identified cases where employees have made excessive use of the electronic communications systems for non-work related purposes, for example, to 'chat' to friends or colleagues during work. Whilst reasonable and responsible use of the system is permitted, strong action will be taken for flagrant abuse of this privilege. Managers are encouraged to deal with examples at a local level or refer extreme examples to PCMC for consideration of formal action.

All employees are reminded that the Department now possesses enhanced capabilities for monitoring both internal and external e-mail communications and for identifying breaches of policy.

Managers are required to bring this Instruction to the notice of all staff under their direction or control.





## Commissioner's Instruction

No: 02/ 2007

To: Board of Management  
Regional Executive Directors  
General Managers/Superintendents  
Area/District Managers, Community Offender Services  
Director, Offender Policy  
Director, Corporate Strategy

### For the information of all staff

Subject: Personal references for offenders

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### PREAMBLE

This instruction is issued in accordance with the provisions of section 235B of the *Crimes (Administration of Sentences) Act 1999*. Commissioner's Instructions amount to lawful orders and any staff member who intentionally disobeys or disregards this instruction, or is found to be negligent in the performance of their duties, may be liable to disciplinary action under the *Public Sector Employment & Management Act 2002*.

### ISSUE

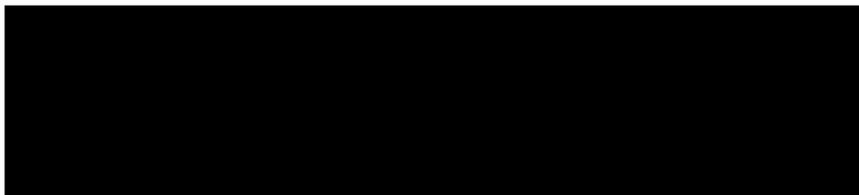
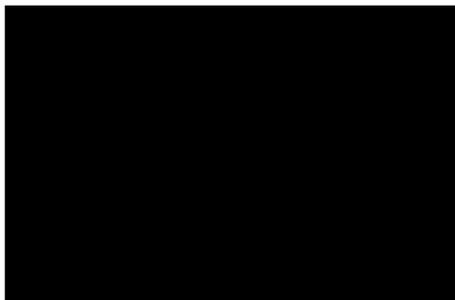
Staff are reminded of Commissioner's Instruction 03/2003 '*Preparation of Reports on Offenders*' issued in March 2003, which prohibits officers from providing personal reference for offenders.

~~Factual reports on offenders may be provided to certain external agencies on request, but all such requests must be referred to managers or general managers for approval, and if approved, must:~~

- be printed on Departmental letterhead;
- be consistent with the Department's principles, practices and philosophies and;
- not contain personal opinions or speculation.

**INSTRUCTION**

All Departmental staff are prohibited from providing personal references for any offender under any circumstances.





## Commissioner's Instruction

No: 03/ 2007

To: Board of Management  
Regional Executive Directors  
General Managers/Superintendents  
Area/District Managers, Community Offender Services  
Director, Offender Policy  
Director, Corporate Strategy

### For the information of all staff

Subject: Use of personal communication devices for contacting offenders

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### PREAMBLE

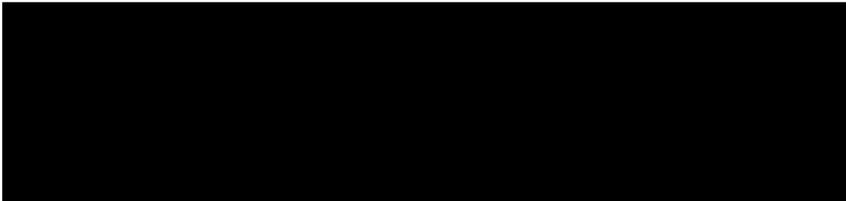
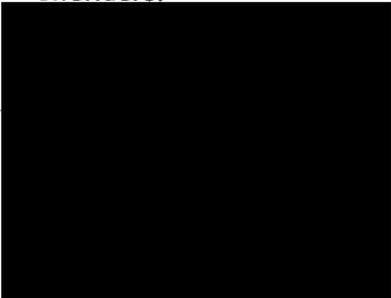
This instruction is issued in accordance with the provisions of section 235B of the *Crimes (Administration of Sentences) Act 1999*. Commissioner's Instructions amount to lawful orders and any staff member who intentionally disobeys or disregards this instruction, or is found to be negligent in the performance of their duties, may be liable to disciplinary action under the *Public Sector Employment & Management Act 2002*.

### ISSUE

All work related communications made by public officials should be auditable. The use of private communication devices including mobile telephones, email and faxes for the purpose of contacting offenders is not permitted. If there is an urgent need to contact an offender, this should be arranged through your workplace or the OCMU.

### INSTRUCTION

Departmental staff are not to use personal communication devices for contacting offenders.





## Commissioner's Instruction

No: 04/2007

To: *Board of Management  
Regional Executive Directors  
General Managers/Superintendents  
Area/District Managers, Community Offender Services  
Director Offender Policy  
Director Corporate Strategy*

### For the information of all staff

**Subject:** Application of Clause 110A of the Crimes (Administration of Sentences) Regulation 2001, to correspondence between legal practitioners and Category AA and Category 5 inmates.

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#### **PREAMBLE**

This Instruction is issued in accordance with the provisions of section 235B of the *Crimes (Administration of Sentences) Act 1999*. Commissioner's Instructions amount to lawful orders and any staff member who intentionally disobeys or disregards this Instruction, or is found to be negligent in the performance of their duties, may be liable to disciplinary action under the *Public Sector Employment & Management Act 2002*.

#### **INSTRUCTION**

Clause 110A of the Crimes (Administration of Sentences) Regulation 2001 provides that correspondence to and from Category AA and Category 5 inmates must be opened, inspected, read and copied, and be subject to strict registration procedures.

Sub clause (4) and (5) of clause 110A provide that correspondence from such inmates to an exempt body, and correspondence to such inmates from an exempt body, must be delivered without opening, inspecting or reading, subject to certain provisions.

The Dictionary to the Regulation provides that 'exempt body' means the Ombudsman and certain other public officials and tribunals.

Members of Parliament, legal practitioners and police officers are not included in that definition. They are defined under the Regulation as 'exempt persons'.

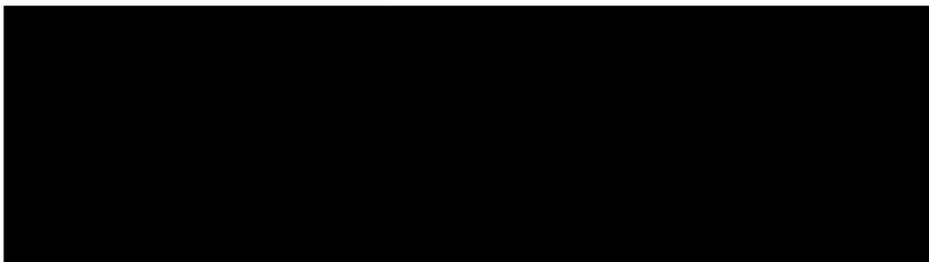
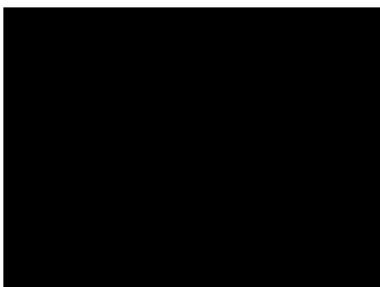
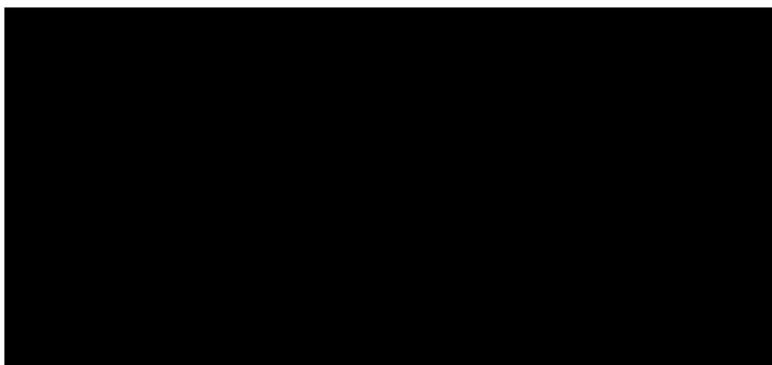
Sub clause (8) of clause 110A provides as follows:

"The Commissioner may, on the application of an exempt person, make an order declaring that this clause is to apply (either unconditionally or subject to conditions) to letters and parcels sent to or from that person as if that person were an exempt body and, on the making of such an order, this clause so applies".

## **INSTRUCTION**

Legal practitioners who currently represent any category AA or category 5 inmates (current list below) in federal criminal proceedings need to effectively communicate with their clients and receive instructions from them on a confidential basis in respect of those proceedings in accordance with legal professional privilege. For this reason and to enable compliance with section 22 of the National Security and Information (Criminal and Civil Proceedings) Act 2004, I have made an order under clause 110A (8) declaring that this clause is to apply to letters or parcels sent to and from these exempt persons in accordance with an arrangement made under Section 22 of that Act as if they were an exempt body for the purpose of the Regulation.

### **Current list of AA category inmates:**





## Commissioner's Instruction

No: 05/2007

To: Board of Management  
Regional Executive Directors  
General Managers/Superintendents  
Area/District Managers, Community Offender Services  
Director Offender Policy  
Director Corporate Strategy

**Subject: Recording external medical movements in OIMS**

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### **PREAMBLE**

This Instruction is issued in accordance with the provisions of section 235B of the *Crimes (Administration of Sentences) Act 1999*. Commissioner's Instructions amount to lawful orders and any staff member who intentionally disobeys or disregards this Instruction, or is found to be negligent in the performance of their duties, may be liable to disciplinary action under the *Public Sector Employment & Management Act 2002*.

### **BACKGROUND**

It has been noted that in some instances, staff are failing to record inmate and detainee medical movements on the Integrated Offender Management System (OIMS). This includes both scheduled and unscheduled escorts.

A number of staff are also incorrectly entering the times both 'in' and 'out' of the correctional centres, with some staff recording the duration of the escort as being a few minutes or in some instances, only a few seconds.

### **INSTRUCTION**

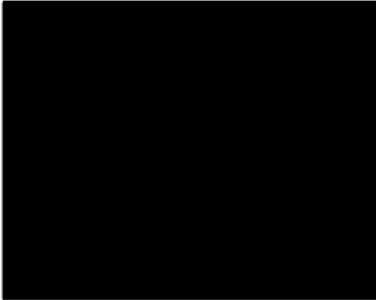
Staff are instructed that all external inmate and detainee medical movements must be recorded on OIMS with the times recorded exactly reflecting the time the inmate or detainee departed and returned to the centre.

The departure and return times must match and corroborate the times recorded in correctional centre log books and / or case management files.

If an error is made upon entering the information, or an error is noted after the entry has been made, an event must be lodged electronically with the *ServiceHub*. Full details of the inmate and exact details of the error must be included to enable *ServiceHub* staff to make the necessary adjustments.

Officers in charge of court cell complexes are responsible to ensure their staff follow this instruction.

The officer in charge of the watches (the person signing the section 24 order) must ensure that OIMS entries are made in accordance with this instruction.





## Commissioner's Instruction

No: 06/2007

To: *Board of Management  
Regional Executive Directors  
General Managers/Superintendents  
Area/District Managers, Community Offender Services  
Director Offender Policy  
Director Corporate Strategy*

### For the information of all staff

Subject: **ACKNOWLEDGEMENTS OF RECEIPT FOR 2005 GUIDE TO CONDUCT AND ETHICS**

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#### **PREAMBLE**

This Instruction is issued in accordance with the provisions of section 235B of the *Crimes (Administration of Sentences) Act 1999*. Commissioner's Instructions amount to lawful orders and any staff member who intentionally disobeys or disregards this Instruction, or is found to be negligent in the performance of their duties, may be liable to disciplinary action under the *Public Sector Employment & Management Act 2002*.

#### **BACKGROUND**

Ethics Officers from Corruption Prevention Branch have visited almost every workplace in the Department to distribute the *2005 Guide to Conduct and Ethics*.

During these visits it was explained to management and staff that in line with an ICAC recommendation it is necessary for all employees of the Department to acknowledge receipt of the *2005 Guide to Conduct and Ethics* and that the completed form on page 33 of the *Guide* should be forwarded to Payroll and Personnel Services in Goulburn.

A copy of the acknowledgement will be placed on Personal files to ensure that all staff are aware of departmental expectations about professionalism and ethical decision-making.

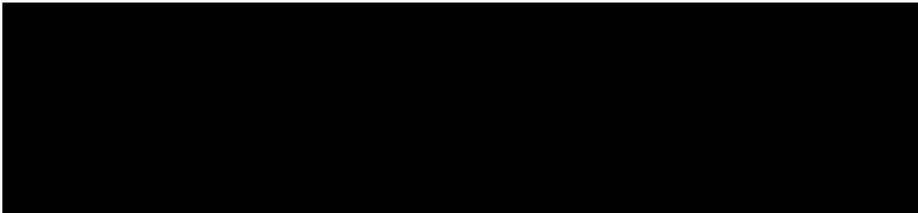
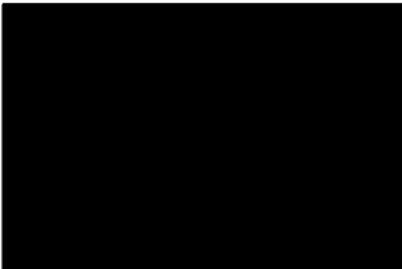
## **ISSUE**

Each Acknowledgement of Receipt is recorded in Ellipse and following a review on 31 December 2006 it appeared that the majority of staff of the Department had not provided their signed acknowledgement.

In January 2007, a reminder was generated to all workplaces but to date this has largely been ignored.

## **INSTRUCTION**

Managers are to ensure that each member of staff has a personal copy of the *2005 Guide to Conduct and Ethics* and is directed to sign the Acknowledgement of Receipt on page 33. It should then be signed by a Supervisor and sent to Payroll and Personnel Services, [REDACTED]  
[REDACTED]





## Commissioner's Instruction

No: 07/2007

To: *Board of Management  
Regional Executive Directors  
General Managers/Superintendents  
Area/District Managers, Community Offender Services  
Director Offender Policy  
Director Corporate Strategy*

### **For the information of all staff**

Subject: Contact with Offenders

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#### **PREAMBLE**

This Instruction is issued in accordance with the provisions of section 235B of the *Crimes (Administration of Sentences) Act 1999*. Commissioner's Instructions amount to lawful orders and any staff member who intentionally disobeys or disregards this Instruction, or is found to be negligent in the performance of their duties, may be liable to disciplinary action under the *Public Sector Employment & Management Act 2002*.

#### **Introduction**

It is inevitable that some employees of the Department will from time to time have social contact with offenders to whom they are related or with whom they are otherwise involved.

There is no absolute prohibition on any such proper relationship, nor should there be; but it is important that they are disclosed so that risks may be managed and false perceptions may be corrected.

This Instruction replaces Commissioner's Instructions 04/2002 and 04/2005 and is intended to coordinate the guidelines for employees who are personally involved or related to offender(s) or who have significant contact with offender(s). It also provides guidance to enable supervisors to manage any conflict of interest that has arisen or may arise from such a relationship or from such contact.

This Instruction will help employees to avoid negative perceptions or the risk of manipulation that arises from improper relations with offenders. Employees are obliged to report all known relationships with known offenders that fall within the scope of this Instruction. Failure to report or misrepresentation of the relationship may result in disciplinary action. Improper relationships of any kind will not be tolerated.

## **Who is regarded as an 'Offender'?**

An offender is:

- Anyone who is currently serving any sentence of imprisonment, periodic detention or is under the supervision of Community Offender Services for any offence.
- Anyone who has served such a sentence or undergone such supervision and whose conviction is not spent\*, that is:
  - Anyone who has ever served a custodial sentence of more than six months
  - Anyone who has ever been convicted of a sexual offence
  - Any other person who in the past ten years has served any sentence of imprisonment or periodic detention or has been under the supervision of Community Offender Services for any offence

**\* refer Criminal Records Act 1991 section 7(1).**

## **INSTRUCTION**

### **1. Obligations on employees who are related to an offender:**

What is a 'relationship'?

- Family member (parent, child, sibling, cousin, aunt, uncle)
- Partner or former partner (spouse, de facto, boyfriend, girlfriend - including same sex)
- Relationships through marriage (eg, parent-in-law, brother-in-law, sister-in-law, step-child, step-brother, step-sister)

If you are an employee of the Department of Corrective Services and you have a 'relationship' of this type with an 'offender' – **you need to report it.**

### **2. Obligations on employees who have 'significant contact' with an offender:**

What does 'significant contact' mean?

- A friendship with someone you know to be an 'offender' – ie, you speak on the telephone, exchange e-mails or spend social time together, even though it may happen only occasionally.
- You are a member of the same club, team, organisation, or similar association as someone you know to be an offender and you closely interact with them.

- You interact closely with someone you know to be an 'offender' for a reason other than the purposes of your occupation.

If you are an employee of the Department of Corrective Services and any of these examples applies to you – **you need to report it.**

What kind of contact is **not** reportable?

You do not have to report casual, unintentional meetings with offenders. For example, there is obviously no need to report each time you bump into an offender in the local supermarket. Such contact is an everyday occurrence, particularly in country locations. You are required to distinguish between 'casual' and 'significant' contact by using reasonable judgement and common sense, bearing in mind the need to avoid perceptions of 'improper association' and 'conflict of interest'. Where there is doubt, then seek the advice of your supervisor.

There are many people in the community who have been convicted of minor offences for which they did not receive a custodial sentence or community supervision, or whose convictions are 'spent'. You are not obliged to report contact with such offenders.

### **3. Obligations on employees to maintain a professional relationship with an offender:**

Employees who are working with offenders will be professional at all times and must not overstep boundaries established for the performance of their role.

Employees need to keep in mind the perception of improper conduct or existence of an improper relationship that can arise if routines, regulations and other protocols are not strictly followed, or if an association becomes too familiar. Staff need to be aware of the negative consequences that arise when such a perception is created in the mind of a colleague, inmate or offender.

In order to prevent the unnecessary investigation of such allegations, staff should avoid any situation that may give rise to suspicion about the nature of a relationship. All dealings with offenders must be transparent and accountable.

Staff need to be aware that inappropriate contact with offenders can leave them open to exploitation and manipulation. Employees can be compromised by offenders if they break the rules, even in a minor way. Experience has shown that this may lead to threats and intimidation or pressure to traffic contraband into a correctional facility.

No member of staff should leave themselves vulnerable to negative perceptions or to exploitation and appropriate action will be taken against any employee who does so.

#### **4. Staff who work in the community**

Though it may sometimes be appropriate for staff who work in the community to maintain ongoing community contact with offenders, this may only be conducted within a regulated framework that is consistent with 'Throughcare', is recorded and is known to managers and supervisors.

All staff must be seen to be accountable, impartial and fair in their contact with inmates and offenders whether in custody or in a community setting. They must not act in any way that raises concern about the professional nature of their contact.

The Department recognises the difficulties arising for staff who work in rural and remote locations and for those from distinct cultural or indigenous communities. Such staff are more likely to come into social or off-duty contact with current or former offenders. Contact that has the potential to harm the reputation of the Department must be avoided. Whilst it will not be necessary to record casual contact, however frequently it may arise, 'significant contact' of the type identified in this Instruction must still be reported.

#### **How do I report a relationship/contact?**

A Declaration can be found on the Intranet at:

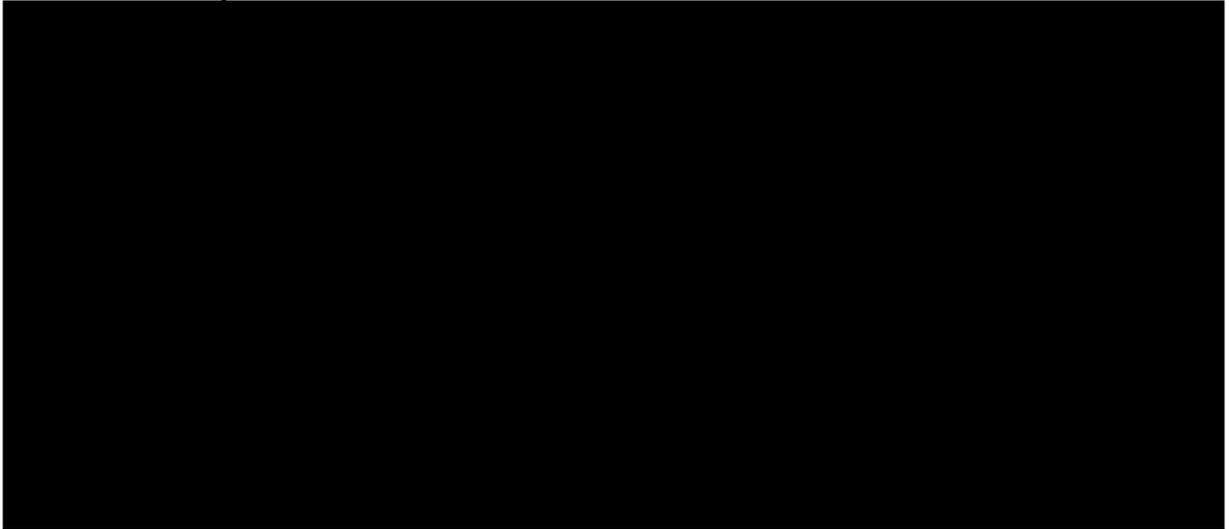
- *Organisation*
- *Probity & Staff Development*
- *Forms*
- *Contact with Offenders.*

Complete Part One of the Declaration and give it to your manager. The information will be treated as CONFIDENTIAL and will be disclosed only where necessary for the purpose of managing risk. Disciplinary action may be taken against any person who discloses CONFIDENTIAL information inappropriately.

#### **Managers are required to:**

- Interview the employee and complete Part Two of the Declaration. (Note: a Confidential Conflict of Interest register is under development. In the interim managers must retain reports securely).
- Take appropriate management action to avoid a conflict of interest.
- Provide written advice/directions to the employee. (A copy of Part Two of the Declaration may be given to the employee).
- Consider informing a more senior manager.
- Consider a referral to the Risk Assessment Committee.
- Monitor.
- Review (annually or more frequently if required).

Further information about Conflicts of Interest can be found on the ICAC website at [www.icac.nsw.gov.au](http://www.icac.nsw.gov.au) Advice about this Instruction or about any related issue can be obtained by contacting an Ethics Officer, Probity & Staff Development, telephone [REDACTED]





## Commissioner's Instruction

No: 08/2007

To: *Board of Management  
Regional Executive Directors  
General Managers/Superintendents  
Area/District Managers, Community Offender Services  
Director Offender Policy  
Director Corporate Strategy*

### For the information of all staff

Subject: Unauthorised Release of Information

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#### **PREAMBLE**

This Instruction is issued in accordance with the provisions of section 235B of the *Crimes (Administration of Sentences) Act 1999*. Commissioner's Instructions amount to lawful orders and any staff member who intentionally disobeys or disregards this Instruction, or is found to be negligent in the performance of their duties, may be liable to disciplinary action under the *Public Sector Employment and Management Act 2002*.

#### **INSTRUCTION**

Staff members in the course of their duties are not to make any public comment/provide information or give an opinion about the work of the Department unless he or she is authorised to do so. Accordingly, prior to responding to any request for public comment staff members are to provide notice to the Commissioner's Media Unit and seek advice.

The Commissioner may authorise the release of certain information to the public in connection with the administration of the *Crimes (Administration of Sentences) Act 1999*.

The Department's Guide to Conduct and Ethics is currently being revised and will include a reference to s257 of the *Crimes (Administration of Sentences) Act 1999* in the following sections:-

2.6.2 Public comment on the work of the Department

3.3.6 Confidentiality of official information

[ s257 of the *Crimes (Administration of Sentences) Act 1999* states:

*257 Disclosure of information*

*A person must not disclose any information obtained in connection with the administration or execution of this Act unless that disclosure is made:*

- a) with the consent of the person from whom the information was obtained, or*
- b) in connection with the administration or execution of this Act, or*
- c) for the purposes of any legal proceedings, or*
- d) in accordance with a requirement of the Ombudsman Act 1974 or with any request made by the Ombudsman, or*
- e) with other lawful excuse. ]*

Additionally, in the event that there is a possible unauthorised release of information to the media the following administrative action will be taken:-

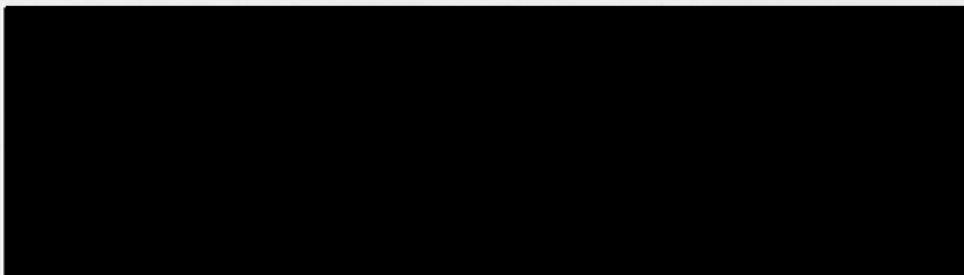
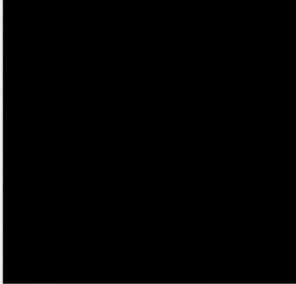
1. The Director of the Commissioner's Media Unit is to notify the Commissioner in writing immediately the Unit becomes aware of a matter which concerns a possible unauthorised release of information.
2. The Commissioner is then to decide whether the Professional Standards Branch is to be directed to consider the matter in accordance with the procedures of the Professional Conduct Management Committee.

The Commissioner will be guided by:

- Any advice provided by the Director of the Commissioner's Media Unit
- The content of the publication/broadcast
- Whether, in the circumstances, it was likely that the disclosure was unauthorised, having regard to:
  - Section 257 of the *Crimes (Administration of Sentences) Act* which prohibits the disclosure of information unless the disclosure is made, inter alia, with the consent of the person concerned, or in connection with the administration of the Act, or for the purpose of any legal proceedings, or in accordance with a request from the Office of the NSW Ombudsman, or with other lawful excuse;
  - Sections 18 and 19 of the *Privacy and Personal Information Protection Act 1998*, which are the Information Protection Principles governing the disclosure of personal information by public sector agencies;
  - Section 25 of the *Privacy and Personal Information Protection Act 1998* which exempts compliance with sections 18 and 19 where non-compliance is lawfully authorised or required; and
  - Section 23 of the *Privacy and Personal Information Protection Act 1998* which exempts law enforcement agencies (including the Department of Corrective Services) from complying with sections 18 and 19 and other Information Protection Principles in certain circumstances.

3. The Professional Standards Branch is to implement procedures to record and report on the timely progress to the Commissioner of matters relating to the possible unauthorised release of information to the media.

This Instruction is to be circulated for the information of all staff members.





## Commissioner's Instruction

No: 09 / 2007

To: Board of Management  
Regional Executive Directors  
General Managers/Superintendents  
Area/District Managers, Community Offender Services  
Director, Offender Policy  
Director, Corporate Strategy

### For the information of all staff

**Subject: Management of Extreme High Security (EHS) inmates**

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### **PREAMBLE**

This instruction is issued in accordance with the provisions of section 235B of the *Crimes (Administration of Sentences) Act 1999*. Commissioner's Instructions amount to lawful orders and any staff member who intentionally disobeys or disregards this instruction, or is found to be negligent in the performance of their duties, may be liable to disciplinary action under the *Public Sector Employment & Management Act 2002*.

### **ISSUE**

Inmates can be designated by the Commissioner as Extreme High Security or High Security. This policy, including its sanctions and procedures only apply to Extreme High Security. The sanctions and procedures do not ordinarily apply to High Security inmates unless stipulated by the Commissioner.

An inmate may be designated as an extreme high security inmate if the Commissioner is of the opinion that the inmate constitutes;

- a) an extreme danger to other people,
- b) an extreme threat to good order and security.

The designation may be revoked or varied by the Commissioner.

Once the inmate is designated under the legislation, the High Security Inmate Management Committee (HSIMC) is required to make recommendations to the Commissioner in relation to the inmate's placement, movement, and imposition of additional security arrangements, development programs and any other matters relevant to the management of the inmate.

## **Additional Security Requirements**

### **1. Visits**

1.1 Extreme high security inmates are required to provide the General Manager of the correctional centre with a list of all visitors to enable criminal history checks to be undertaken by submitting a *Criminal Record Inquiry and Intelligence Check* to Central Intelligence Group (CIG).

1.2 All nominated visitors are to be interviewed by the Manager Security (delegate) prior to any visits being approved. Upon receiving the results of the criminal history check, the General Manager will either approve or not approve the visit.

If it is decided to not approve any visit and a general restriction of any visitor is required, the General Manager will make a recommendation to the Superintendent Visitor Restrictions, Office of the Commissioner.

1.3 All visitors to extreme high security inmates will be photographed (visitors 15 years or under are exempt). Photographs are to be updated regularly or when there are significant appearance changes. The photograph(s) will be secured in the visits area or electronically if biometrics are available.

1.4 All visitors will be subjected to the Biometric Visitor Identification System (Iris Scan at MRRC), pass through a walk through metal detector and be scanned with a hand-held metal detector.

1.5 Where practicable, contact visits are to occur in a separate area from normal visits. All contact visits will be closely supervised and monitored by visits staff.

1.6 All designated extreme high security inmates are to wear Department approved orange overalls during visits.

1.7 The visitor or inmate will not be permitted to use toilets in the visits area. The visit is to be terminated should toilet usage be required.

1.8 The General Manager will determine the duration of the visit.

1.9 At the completion of the visit, visitors are to remain in the visits area until after the inmate has been identified and escorted from the area.

1.10 All EHS inmates are to be strip-searched following a visit.

## **2. Telephone Access**

- 2.1 The EHS inmate will provide a list of persons and numbers he/she wishes to contact via telephone. Following an intelligence check carried out by CIG, the General Manager will determine which telephone calls can take place. All telephone calls are to be monitored live and recorded except telephone calls made to exempt persons or organisations. All telephone calls are to be made in English.

## **3. Accommodation**

- 3.1 The General Manager will determine specific accommodation placements within the correctional centre.
- 3.2 All cells occupied by extreme high security inmates are to be searched daily by unit/wing staff.
- 3.3 All cells occupied by extreme high security inmates are to be searched by the Immediate Action Team and / or Security Unit once per week or as required.
- 3.4 The General Manager will determine how frequently an extreme high security inmate is moved with the correctional centre. No EHS inmate should remain in the same cell for any longer than one month.

## **4. Employment**

- 4.1 Extreme high security inmates are not to be employed in trusted' positions within the centre. This includes areas such as visits, reception, gate, clerical duties etc. Depending upon the risks involved and the level of supervision required, General Managers must also limit the number of EHS inmates working in any one location.

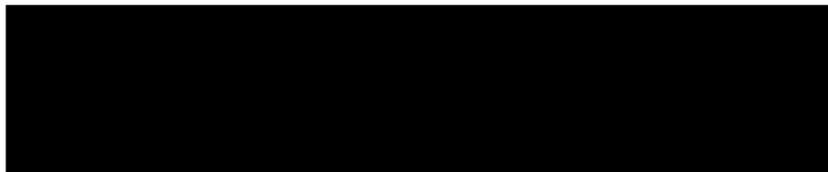
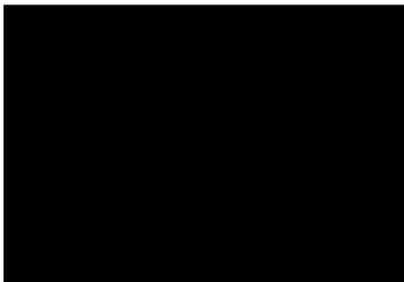
## **5. Movement within the centre**

- 5.1 The General Manager will determine access of EHS inmates to programs, activities and other sections of the centre.
- 5.2 EHS inmates will not be permitted access to large sporting fields.

## **6. Escorts**

- 6.1 The Assistant Commissioner, Security and Intelligence Division is responsible for overseeing EHS escorts and the management of EHS inmates while they are absent from their correctional centre of classification and may give any directions relating to their management.

- 6.2 The General Manager will submit a Section 23 request to transfer an EHS inmate to the General Manager Inmate Transfers or the General Manager Security after hours. The General Manager of the centre requesting the transfer must critically assess the request, and provide verified relevant information and consideration of all alternatives.
- 6.3 The General Manager Inmate Transfers will verify the information associated with the request and discuss placement options with the General Manager, Security Operations.
- 6.4 If the Assistant Commissioner, Security, approves the escort, the General Manager Security Operations will advise General Manager Inmate Transfer and the relevant Security Unit to confirm the escort date, time and other relevant security arrangements.
- 6.5 The General Manager Inmate Transfers will contact the General Manager from the sending and receiving correctional centres to discuss the transfer and related security issues.
- 6.6 The General Manager of the centre in which the inmate is accommodated, will provide the General Manager of the receiving centre will all relevant information and associated files.
- 6.7 For any after hour medical escorts the General Manager of the centre housing the EHS inmate will contact the Assistant Commissioner Security and Intelligence Division via the Duty Officer or General Manager Security Operations for approval and to ensure adequate security is in place to conduct the escort.
- 6.8 All EHS escorts are to be conducted by trained Security Unit staff and other designated specially trained staff.
- 6.9 All male EHS inmates are to wear orange overalls, restraining belts, handcuffs and ankle cuffs on all escorts.
- 6.10 All EHS inmates are to be strip-searched prior to any escort. All strip-searches are to be video taped if possible.
- 6.11 Standard Operating Procedures for EHS escorts must be adhered to at all times.





**Commissioner's Instruction**

No: 10/2007

To: *Board of Management  
Executive Directors  
General Managers/Superintendents  
Area/District Managers; Community Offender Services  
Director Offender Policy  
Director Corporate Strategy*

**For the information of all staff**

Subject: **OTHER PAID EMPLOYMENT**

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**PREAMBLE**

This Instruction is issued in accordance with the provisions of section 235B of the Crimes (Administration of Sentences) Act 1999. Commissioner's Instructions amount to lawful orders and any staff member who intentionally disobeys or disregards this Instruction, or is found to be negligent in the performance of their duties, may be liable to disciplinary action under the Public Sector Employment and Management Act 2002.

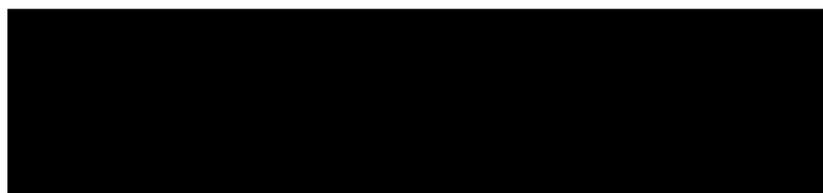
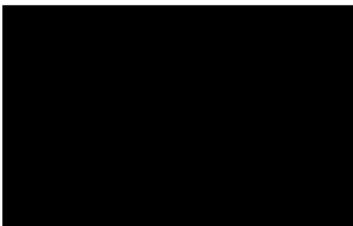
**INSTRUCTION**

The Department's Secondary Employment Policy has been reviewed and renamed the Other Paid Employment Policy. It is available on the intranet at *Policies & Procedures » Policy Directory » Human Resources Division » Other Paid Employment*. This Instruction replaces Commissioner's Instruction 10/2002.

All employees proposing to undertake other paid employment must read the policy, comply with its provisions and have regard to the Department's Guide to Conduct and Ethics.

From the date of this Instruction the delegated officer referred to in Part C of the 'Assessment of Other Paid Employment' form is to be an SES officer.

Please ensure that all employees under your area of administration are aware of this Instruction, a copy of which has been placed on the Department's intranet.





## Commissioner's Instruction

No: 12/2007

To: *Board of Management  
Regional Executive Directors  
General Managers/Superintendents  
Area/District Managers, Community Offender Services  
Director Offender Policy  
Director Corporate Strategy*

### For the information of all staff

Subject: Daily inspection of inmates confined to cell

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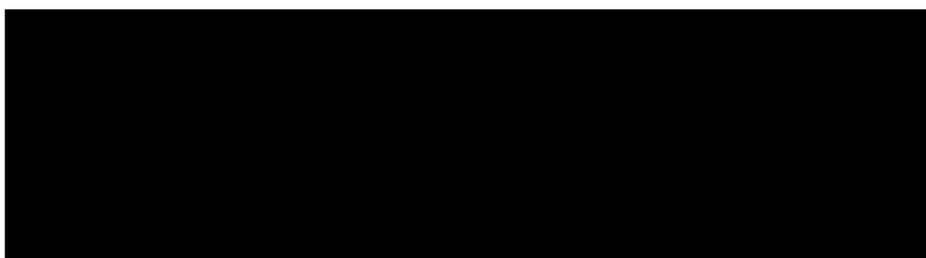
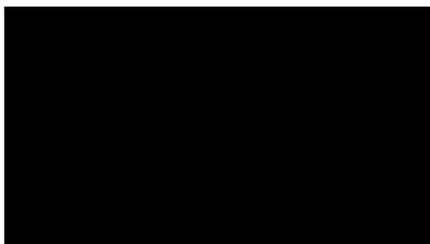
#### **PREAMBLE**

This Instruction is issued in accordance with the provisions of section 235B of the *Crimes (Administration of Sentences) Act 1999*. Commissioner's Instructions amount to lawful orders and any staff member who intentionally disobeys or disregards this Instruction, or is found to be negligent in the performance of their duties, may be liable to disciplinary action under the *Public Sector Employment & Management Act 2002*.

#### **INSTRUCTION**

Clause 280(2) of the *Crimes (Administration of Sentences) Regulation 2001* provides that "the general manager of a correctional centre must conduct a daily inspection of all inmates who are confined to cell".

In order to meet this obligation, it is sufficient to conduct a brief visit or observation to the inmate who is confined to his or her cell. An entry regarding this visit or observation must be made on the inmate's case notes after the visit or observation. The general manager may delegate this task, in which case, the delegate must comply with the record keeping on the case notes for the offender.





## Commissioner's Instruction

No:13/2007

To: *Board of Management  
Regional Executive Directors  
General Managers/Superintendents  
Area/District Managers, Community Offender Services  
Director Offender Policy  
Director Corporate Strategy*

### For the information of all staff

Subject: Privacy Notice for ACT Prisoners Held in NSW

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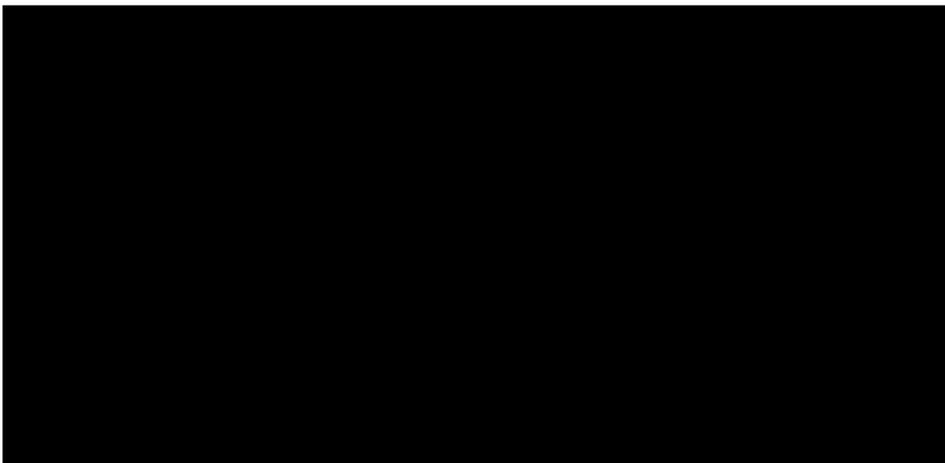
#### **PREAMBLE**

This Instruction is issued in accordance with the provisions of section 235B of the *Crimes (Administration of Sentences) Act 1999*. Commissioner's Instructions amount to lawful orders and any staff member who intentionally disobeys or disregards this Instruction, or is found to be negligent in the performance of their duties, may be liable to disciplinary action under the *Public Sector Employment & Management Act 2002*.

#### **INSTRUCTION**

The attached Notice must be issued on Friday, 21 December 2007 at the PM muster to all Australian Capital Territory (ACT) prisoners held in custody in New South Wales. This notice is being issued to all ACT prisoners in order to comply with notification requirements in the privacy legislation.

The Notice must be printed on two pages. Page one must be retained by the prisoner. Page two must be completed by the issuing officer and the prisoner and faxed to [REDACTED] by Monday, 24 December 2007.



**PRIVACY NOTICE FOR AUSTRALIAN CAPITAL TERRITORY (ACT)  
PRISONERS HELD IN CUSTODY IN NEW SOUTH WALES (NSW)**

Sections 18 and 10 of the *Privacy and Personal Information Protection Act 1998*  
Clause 4 of Schedule 1 to the *Health Records and Information Privacy Act 2002*

NSW Department of Corrective Services

This notice is for the attention of all Australian Capital Territory (ACT) prisoners held in NSW correctional centres.

Collection and Use of Personal and Health information

We (the Department of Corrective Services) collect from you and other bodies, such as Justice Health, personal and health information about yourself. We store that information in an appropriate file or database. We use that personal and health information for lawful purposes. The information is needed to help us to manage your custody and rehabilitation. You may refuse to provide personal or health information. However, if you do refuse, certain services or programs available from us or other agencies cannot be offered to you, for example, Centrelink or the Department of Housing. So, it is in your best interest to provide us with the information we request from you.

Disclosure of Personal and Health Information

Your personal and health information held by us will be disclosed to ACT Corrective Services if you are to be moved, or considered for movement, to the ACT.

Access to and Amendment of Personal and Health Information

You have the right to seek access to documents/information we hold about you. For access to your case management file, contact your case management officer. For access to any document, use a Freedom of Information Application form that is available at your centre.

You have the right to seek amendment of documents/information we hold about you, if you consider that it is inaccurate, incomplete, incorrect, out of date or misleading. Freedom of Information Amendment Application forms are available at your centre.

**Instructions for Issuing Officer**

This document must be printed on two pages (not double-sided).

Page one of this document must be provided to the prisoner.

Page two of this document must be completed by you and the prisoner, and faxed to [REDACTED] by close of business on 24 December 2007.

**Page two of PRIVACY NOTICE FOR ACT PRISONERS HELD IN CUSTODY IN NSW**

I, ..... ACT Prisoner, MIN.....  
(print full name)

acknowledge that I have been issued with a copy of the Privacy Notice for ACT Prisoners held in custody in NSW.

Issuing Officer to complete

ACT Prisoner to complete

.....  
(Print Rank and Name)

.....  
(ACT Prisoner's signature)

.....  
Date

.....  
Date

**Instructions for Issuing Officer**

This document must be printed on two pages (not double-sided).

Page two of this document must be completed by the prisoner and the issuing officer.

Page two must be faxed to the FOI & Privacy Unit on [REDACTED] by close of business on 24 December 2007.

Please do not fax page one.

If the prisoner declines to sign page 2, it is sufficient for the issuing officer to record that fact on page two.

December 2007