

Inmate Classification and Placement Corrective Services NSW

Inter- Jurisdictional Transfer between Youth Services NSW and Corrective Services NSW

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1 Overview

The policy and procedures within this document must be utilised in conjunction with the [OVERARCHING POLICY - Policy for Inmate Classification and Placement](#).

All staff must be familiar with the overarching policy prior to utilising this document.

The overarching policy and the instructions and procedures within this document apply to all staff involved in the inmate classification and placement processes within NSW correctional centres.

Inter-Jurisdictional transfers between Youth Services New South Wales (YSNSW) and Corrective Services New South Wales (CSNSW) (formerly Juvenile Justice NSW) are carried out in accordance with the [Children \(Detention Centres\) Act 1987](#). The Act allows for the transfer of young people in custody between jurisdictions. The following sections are commonly utilised by CSNSW and YSNSW:

In accordance with [Section 28 \(1\)](#) of the Act, a detainee aged 16 years of age or older can be transferred from a YSNSW centre to a CSNSW correctional centre.

In accordance with [Section 28 \(2A\)](#) of the Act, a juvenile inmate aged above 18 years of age, but under the age of 21 years may remain in CSNSW custody to complete any juvenile orders.

In accordance with [Section 10](#) of the Act, a juvenile inmate can be transferred from a CSNSW correctional centre to a YSNSW detention centre.

These policy and procedures are in accordance with Section 41C and 41D of the [Crimes \(Administration of Sentences\) Act 1999](#).

This procedure must be implemented in conjunction with the Procedure for [Inmate Classification and Placement - Initial Classification and Placement](#).

2 Related documents

The policy procedures within this document are to be implemented in conjunction with the relevant sections of the Custodial Operations Policy and Procedures (COPP) and other related policy and procedures, including:

- [Management of Public Correctional Centres Services Specifications](#)
- [COPP - 1.1 Reception - reception procedures](#)
- [COPP - 1.2 Reception - warrants and detainers](#)
- [Case Management \(CM\) in CC - PR1 - Procedures for the Reception, Screening, Induction and Orientation of CSNSW Inmates](#)
- Specialised Young Male Adult Offender Program - currently under review

Where appropriate, sections of the related policy and/or procedure will be referenced throughout this document.

3 Procedures for Section 28 (1) – Transfer of Juvenile from YSNSW to CSNSW

CSNSW staff with YSNSW staff facilitate transfers of detainees aged 16 years of age or older from a YSNSW centre to a CSNSW centre in accordance with [Section 28](#).

YSNSW will initiate a request to transfer a detainee. The following procedures must then be followed:

- Upon receipt of the request the State-wide Manager Young Adult Offenders (SMYAO), CSNSW is to schedule an interview at the YSNSW centre where the detainee is housed.
- The SMYAO is to arrange for a Manager or Deputy Manager Classification and Placement (M/DMCP) CSNSW to attend the interview.
- CSNSW issues YSNSW with copies of the two CNSW published DVDs - 'Young Adult Offender Program' and 'Your First 24 Hours'. It is requested any detainee undertaking assessment for transfer to CSNSW is shown these prior to the interview.
- During the interview, the juvenile detainee is advised of the transfer process to CSNSW, the expectations of their participation in their case plan, information on the CSNSW Young Adult Offender Program (YAOP), offence related programs, education, vocational programs, visits and property. The detainee and their family or support person/s are given the opportunity to ask questions during the interview.
- Following the interview, the M/DMCP will make recommendations, in writing to the SMYAO in regards to suitability for transfer, security rating, placement option/s and any other relevant matter.
- If the detainee is assessed as suitable for transfer to CSNSW custody, a classification placement pathway is developed to ensure the detainee's offending behaviour needs are addressed, including the identification of any assessments that may be required. The SMYAO finalises the transfer submission.
- If the detainee is assessed as not suitable for transfer to CSNSW custody, the SMYAO will advise YSNSW of the assessment outcome.
- Following the receipt of a signed letter and order for transfer from YSNSW, the SMYAO will prepare a submission utilising all information available from the YSNSW information data base, Client Information Management System (CIMS) and the warrant/s information.
- The SMYAO will then forward the submission and order for transfer to the Commissioner, CSNSW for approval and signing of the order for transfer.
- When approved, the Commissioner CSNSW will sign the order for transfer.
- Once received, the SMYAO will forward the approved order for transfer to the YSNSW.
- The SMYAO coordinates with YSNSW, the Court Escort Security Unit (CESU), and the CSNSW Inmate Transfer Unit, to arrange a suitable date for transfer and admission
- The SMYAO will forward a briefing package to the Senior/Classification and Placement Officer (S/CAPO) and M/DMCP of the nominated receiving CSNSW centre. The briefing package will contain:
 - Reports from YSNSW, including YSNSW custodial history
 - M/DMCP written interview assessment and recommendations
 - SMYAO written comments and recommendations

Note: This briefing package must be considered during the Initial Classification and Placement Assessment and be included on the Case Management File (CMF).

- The SMYAO will ensure a copy of the signed orders for transfer are forwarded to the relevant Sentence Administration Unit, CSNSW.
- The SMYAO will then ensure correct file management in EDRMS Container 16/67614, as per local arrangements.
- Once advised of the suitable date, YSNSW coordinate the transport of the detainee to the nominated correctional centre in NSW as per the transfer order.
- All detainees transferring from YSNSW to CSNSW custody must undergo the reception screening, induction and orientation (RSIO) processes at the nominated reception centre prior to the Initial Classification and Placement Assessment in accordance with the:
 - [COPP - 1.1 Reception - reception procedures](#)
 - [COPP - 1.2 Reception - warrants and detainers](#)
 - [CM in CC - PR1 - Procedures for the Reception, Screening, Induction and Orientation of CSNSW Inmates](#)

The Initial Classification and Placement Assessment is then conducted in accordance with the instructions with the [Inmate Classification and Placement - Initial Classification and Placement](#).

The M/DMCP will then ratify the inmate's classification and placement in accordance with the above, with consideration given to the briefing package and recommendations of the interviewing M/DMCP and SMYAO.

3.1 Section 28 (1) – Transfer of Juvenile from YSNSW to CSNSW - Checklist

PROCEDURE	RESPONSIBILITY
1 On receipt of request to transfer a juvenile detainee from YSNSW to CSNSW custody, schedule an interview at the detention centre housing the detainee.	SMYAO
2 Arrange for a nominated M/DMCP to attend the interview	SMYAO
3 Ensure juvenile detainee is shown the two CSNSW DVDs on the 'Young Adult Offender Program' and 'Your First 24 Hours'.	SMYAO YSNSW
4 Conduct the interview – ensure the juvenile detainee is advised of : <ul style="list-style-type: none"> • the transfer process to CSNSW • the expectations of their participation in their case plan • information on the CSNSW YAOP • offence related programs • education • vocational programs • visits and property The detainee and their family or support person/s are given the opportunity to ask questions during the interview.	SMYAO M/DMCP

PROCEDURE	RESPONSIBILITY
5 Make recommendations, in writing to the SMYAO in regards to: <ul style="list-style-type: none"> • suitability for transfer • security rating • placement option/s • any other relevant information 	M/DMCP
6 Assess juvenile for suitability of transfer to CSNSW <ul style="list-style-type: none"> • If the juvenile is assessed as suitable for transfer to CSNSW custody, a classification placement pathway is developed to ensure the detainee's offending behaviour needs are addressed, including the identification of any assessments that may be required. • If the juvenile is assessed as not suitable for transfer to CSNSW custody, the SMYAO will advise the YSNSW of the assessment outcome. 	SMYAO SMYAO
7 Finalise the transfer submission	SMYAO
8 On receipt of the signed letter and order for transfer from YSNSW, prepare a submission utilising all information available from the: <ul style="list-style-type: none"> • YSNSW information data base • CIMS • Warrant/s information 	SMYAO
9 Forward the submission and order for transfer to the Commissioner, CSNSW for approval.	SMYAO
10 Approved the order for transfer of a juvenile from YSNSW to CSNSW custody.	CSNSW Commissioner
11 Approved order for transfer of a juvenile from YSNSW to CSNSW custody forwarded to YSNSW.	SMYAO
12 Coordinate date for transfer of a juvenile from YSNSW to CSNSW custody with the Court Escort Security Unit, CSNSW and Inmate Transfer Unit, CSNSW.	SMYAO YSNSW CESU/ITU
13 Compile a briefing package including: <ul style="list-style-type: none"> • YSNSW custodial history and • M/DMCP written interview assessment and recommendations • SMYAO written comments and recommendations 	SMYAO
14 Forward the briefing package to the: <ul style="list-style-type: none"> • S/CAPO • M/DMCP of the nominated receiving CSNSW centre. Briefing package must be considered during the Initial Classification and Placement Assessment and included on the inmate CMF.	SMYAO M/DMCP S/CAPO
15 Forward signed orders for transfer of a juvenile from YSNSW to CSNSW to Sentenced Administration.	SMYAO
16 Ensure briefing package and approved orders for transfer are filed as per local arrangements.	SMYAO

PROCEDURE	RESPONSIBILITY
17 Coordinate the transport of the juvenile to the nominated reception centre in NSW as per the transfer order.	YSNSW
18 Undergo the RSIO processes in accordance with CSNSW policy and procedures as detailed in Item 2 – Related Policy and Procedures.	CSNSW Staff
19 Conduct the Initial Classification and Placement Assessment.	CPT
20 Ratify the Initial Classification and Placement Assessment, with consideration given to the briefing package and recommendations of the interviewing M/DMCP and SMYAO.	M/DMCP

4 Section 28 (2A) Procedures – Juvenile to remain in CSNSW

Section 28(2A) allows a juvenile inmate aged 18 years of age, and under the age of 21 years to remain in CSNSW custody to complete any juvenile orders.

Section 28(2A) (c) includes the requirement of the juvenile inmate to have previously been detained as an inmate in a correctional centre (other than a juvenile correctional centre) for a period of, or periods totalling, more than 4 weeks.

Where this section is utilised, the following procedures must be followed:

- Sentence Administration Corporate (Jurisdictional Transfers) CSNSW will advise YSNSW and the SMYAO, CSNSW that a juvenile inmate is in CSNSW custody and will request a Section 28 (2A) (c) to be considered.
- YSNSW will assess the request in accordance with YSNSW procedures.
- If the juvenile inmate requests to return to YSNSW custody, and is assessed as suitable to return to YSNSW custody following completion of court matters, no Section 28 (2A) will be required and YSNSW will make arrangements for the transfer.
- If the juvenile inmate requests to remain in CSNSW custody, a Section 28(2A) will be commenced by YSNSW.
- If the juvenile inmate is assessed by YSNSW as NOT suitable to return to YSNSW custody, a Section 28(2A) will be commenced by YSNSW.
- Following the receipt of a signed letter and order for transfer from the Executive Director, YSNSW, the SMYAO will prepare a submission utilising all information available from the YSNSW information data base, Client Information Management System (CIMS) and the warrant/s information.
- The SMYAO will then forward the submission and order for transfer to the Commissioner, CSNSW for approval.
- When approved, the Commissioner CSNSW will sign the order for transfer.
- Once received, the SMYAO will forward the approved order for transfer to YSNSW.
- The SMYAO will ensure a copy of the signed orders for transfer is forwarded to the relevant Sentence Administration Unit, CSNSW in the centre housing the juvenile inmate. The SMYAO will then ensure correct electronic file management as per local arrangements and enter a case note on the OIMS detailing the approval for the juvenile inmate to remain in CSNSW custody.

4.1 Section 28 (2A) Procedures – Juvenile to remain in CSNSW - Checklist

PROCEDURE	RESPONSIBILITY
1 The SMYAO will receive advice that a juvenile inmate is in CSNSW custody and that a Section 28 (2A) is being considered.	YSNSW
2 Section 28 (2A) is considered.	YSNSW
3 If the juvenile inmate requests to return to YSNSW custody and is assessed as suitable to return no Section 28 (2A) is required the juvenile is returned to YSNSW custody.	YSNSW
4 If the juvenile inmate requests to remain in CSNSW custody, a Section 28(2A) will be commenced.	YSNSW
5 If the juvenile inmate is assessed as NOT suitable to return to YSNSW custody, a Section 28(2A) will be commenced by YSNSW.	
6 On receipt of the signed letter and order for transfer from YSNSW, prepare a submission utilising all information available from the: <ul style="list-style-type: none"> • YSNSW information data base • CIMS • Warrant/s information 	SMYAO
7 Forward the submission and order for transfer to the Commissioner, CSNSW for approval.	SMYAO
8 Approve the order for transfer of a juvenile from YSNSW to CSNSW custody.	CSNSW Commissioner
9 Once received, the SMYAO will forward the approved order for transfer to YSNSW.	MTAOP
10 Forward signed orders for transfer of a juvenile from YSNSW to CSNSW to Sentence Administration.	
11 Ensure briefing package and approved 28 (2A) orders for transfer are filed as per local arrangements.	SMYAO

5 Section 10 (1) – Transfer from CSNSW to YSNSW

Section 10 allows for the transfer of juvenile inmates from CSNSW custody to YSNSW custody. This process occurs when a juvenile inmate in CSNSW custody makes application to transfer back to YSNSW, or if there is concern that a juvenile inmate is at risk in adult custody.

Where there is an identified risk to the juvenile inmate in CSNSW custody, the request is forwarded to the SMYAO, CSNSW who then makes contact with YSNSW. YSNSW then processes the application in accordance with YSNSW policy and procedures.

Where it is determined that a transfer from CSNSW to YSNSW custody in accordance with Section 10 (1) is appropriate, YSNSW will administer the orders and transfer in accordance with YSNSW policy and procedures.

If the juvenile inmate is assessed by YSNSW as not suitable to return to YSNSW custody, a Section 10 (1) is not appropriate and the SMYAO CSNSW will be advised of the assessment outcome. The juvenile inmate will remain in CSNSW custody.

The SMYAO, CSNSW will advise the inmate of the outcome, ensure correct electronic file management as per local arrangements and enter a case note on the OIMS detailing the approval for the juvenile inmate to remain in CSNSW custody.

5.1 Section 10 (1) – Transfer from CSNSW to YSNSW - Checklist

PROCEDURE	RESPONSIBILITY
1	Juvenile inmate SMYAO
2	YSNSW
3	YSNSW
4	YSNSW
5	SMYAO
6	SMYAO

6 Abbreviations

ACRONYM	MEANING
CAPO	Classification and Placement Officer
CESU	Court Escort Security Unit
CIMS	Client Information Management System
CM	Case Management
CMF	Case Management File
COPP	Custodial Operations Policy and Procedures
CSNSW	Corrective Services New South Wales
DMCP	Deputy Manager Classification and Placement
ITU	Inmate Transfers Unit
MCP	Manager Classification and Placement
OIMS	Offender Information Management System
SCAPO	Senior Classification and Placement Officer
SMYAO	State-wide Manager Young Adult Offenders
YAOP	Young Adult Offender Program
YSNSW	Youth Services New South Wales

7 Document history

VERSION	DATE	REASON FOR AMENDMENT
1.0	25 October 2019	In line with Case Management Review outcomes
1.1	10 August 2020	Update following SMYAO Role Description
1.2	23 October 2020	General formatting update and improvements
2.0	1 February 2021	Full review conducted