Australian Capital Territory

**Corrections Management (No-Contact List) Policy 2019**

**Notifiable instrument NI2019-124**

made under the

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

**1 Name of instrument**

This instrument is the *Corrections Management* (*No-Contact List) Policy 2019.*

**2** **Commencement**

This instrument commences on the day after its notification day.

**3 Policy**

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



Jon Peach

Executive Director

ACT Corrective Services

8 March 2019

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| **NO-CONTACT LIST** **policy no. A4** |
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**ACT Corrective Services**

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# PURPOSE

ACT Corrective Services (ACTCS) is committed to preventing, as far as possible, the
re-victimisation of victims of crime by managing contact between detainees and victims of crime and people within the community wishing not to be contacted.

#  SCOPE

This policy applies to ACT correctional centres.

# DEFINITIONS

**No-Contact List**

A list, managed by ACTCS, of individuals precluded from contact by detainees in ACTCS custody.

**Victim**
As defined in the *Victims of Crime Act 1994.*

# PRINCIPLES

* 1. ACTCS manages a No-Contact List, separate to the Victims Register, where individuals are listed against a detainee in ACTCS custody, to prevent the detainee from contacting the individual/s listed against their name on the No-Contact List, throughout the duration of their custody.
	2. ACTCS has a duty of care to protect victims of crime from further victimisation, by ensuring all victims of detainees are aware they can nominate to be added onto the No-Contact List.
	3. ACTCS has a duty of care to protect individuals who have identified that they do not wish to be contacted by a detainee.
	4. ACTCS has a duty of care to prevent detainees from contacting individuals as prescribed in a Family Violence Order.
	5. The No-Contact List includes all forms of communications available to detainees in ACT correctional centres which are email, fax, mail, visits and telephone.
	6. A victim may request to be placed on the No-Contact List verbally or in writing.
	7. ACTCS will take all reasonable measures to ensure a detainee is prevented from contacting individual/s included in the No-Contact List.
	8. ACTCS will ensure that all identified victims of sexual offences, where an offender has been convicted are automatically added to the No-Contact List.
	9. All victims registered on the Victims Register will also be added to the No-Contact List.
	10. Any individual who requests not to be contacted by a detainee in ACTCS custody will be added to the No-Contact List, regardless of whether they appear on the Victims Register.
	11. ACTCS will ensure that all identified children and young persons under the age of
	18 years, who have been victims of a detainee in ACTCS custody will be automatically added to the No-Contact List.
	12. Children and young people who are automatically added to the No-Contact List will have the option to be removed from the No-Contact List if their parent or legal guardian, other than the detainee, has authorised it in writing, or when the child or young person turns 18 years old.
	13. This policy does not apply to offenders or victims who have consented to take part in the ACT Restorative Justice Program, where contact is facilitated between offender and victim.
	14. Individuals added to the No-Contact List may request removal at any time. This excludes children and young people, unless they have authorisation from their parent or legal guardian.
	15. The No-Contact List is confidential and is only accessible by authorised ACTCS staff.
	16. ACTCS is unable to assume responsibility for the actions of members of the community should they attempt to contact or forward communication to an individual included on the No-Contact List, on a detainee’s behalf.

# RELATED DOCUMENTS AND FORMS

* No-Contact List Operating Procedure
* No-Contact List (Victim of Crime) Form
* No-Contact List Request Form
* Family Violence Orders and No-Contact List



Jon Peach

Executive Director
ACT Corrective Services
8 March 2019

**Document details**

| Criteria | Details |
| --- | --- |
| Document title: | Corrections Management (No-Contact List) Policy 2019 |
| Document owner/approver: | Executive Director, ACT Corrective Services |
| Date effective: | The day after the notification date |
| Review date: | Three years after the date of notification |
| Compliance with law: | This policy reflects the requirements of the *Corrections Management* *(Policy Framework) Policy 2019* |
| Responsible officer: | Head of Detainee Services |

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| Version Control  |
| Version no.  | Date  | Description | Author |
| V1 | September-18 | First Issued | A Campbell |