

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

NO-CONTACT LIST

POLICY NO. A4

ACT CORRECTIVE SERVICES



ACT
Government

Justice and Community Safety

CONTENTS

1	PURPOSE	4
2	SCOPE.....	4
3	DEFINITIONS.....	4
4	PRINCIPLES	4
5	RELATED DOCUMENTS AND FORMS.....	5

1 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.

2 SCOPE

This policy applies to ACT correctional centres.

3 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*.

4 PRINCIPLES

- 4.1 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.
- 4.2 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.
- 4.3 ACTCS has a duty of care to protect individuals who have identified that they do not wish to be contacted by a detainee.
- 4.4 ACTCS has a duty of care to prevent detainees from contacting individuals as prescribed in a Family Violence Order.
- 4.5 The No-Contact List includes all forms of communications available to detainees in ACT correctional centres which are email, fax, mail, visits and telephone.
- 4.6 A victim may request to be placed on the No-Contact List verbally or in writing.
- 4.7 ACTCS will take all reasonable measures to ensure a detainee is prevented from contacting individual/s included in the No-Contact List.

- 4.8 ACTCS will ensure that all identified victims of sexual offences, where an offender has been convicted are automatically added to the No-Contact List.
- 4.9 All victims registered on the Victims Register will also be added to the No-Contact List.
- 4.10 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.
- 4.11 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.
- 4.12 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.
- 4.13 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.
- 4.14 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.
- 4.15 The No-Contact List is confidential and is only accessible by authorised ACTCS staff.
- 4.16 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.

5 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 <i>Corrections Management (Policy Framework) Policy 2019</i>
Responsible officer:	Head of Detainee Services

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