

Australian Capital Territory

Corrections Management (No-Contact List) Policy 2024

Notifiable instrument NI2024–677

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 2024*.

2 Commencement

This instrument commences on 5 December 2024.

3 Policy

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

4 Revocation

This instrument revokes the *Corrections Management (No-Contact List) Policy 2019* [NI2019-124] and the *Corrections Management (No-Contact List) Operating Procedure 2019* [NI2019-125].

Narelle Pamplin
A/g Commissioner
ACT Corrective Services
2 December 2024

NO-CONTACT LIST

POLICY NO. 18

The logo for ACT Corrective Services is a large, rounded rectangle with a background of abstract, overlapping geometric shapes in shades of blue, teal, and green. A light blue horizontal bar is positioned in the upper left corner of the rectangle, containing the text "ACT CORRECTIVE SERVICES" in white, uppercase letters.

ACT CORRECTIVE SERVICES

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1 PURPOSE

ACT Corrective Services (ACTCS) is committed to preventing, as much as possible, the re-victimisation of victims of crime by managing contact between detainees and both victims of crime and individuals in the community who do not wish 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 from the Victims Register, which includes people a detainee in custody is not allowed to contact. This list applies for the entire time the detainee is in ACTCS custody.
- 4.2 ACTCS has a duty to protect victims of crime from further victimisation through preventing detainees from engaging in behaviours as a consequence of their conviction and sentence.
- 4.3 ACTCS has a duty to protect individuals who have requested not to be contacted by a detainee to uphold their right to privacy.
- 4.4 ACTCS has a duty to ensure that court orders are enforced by preventing detainees from contacting individuals as prohibited in a Family Violence Order (FVO) or Personal Protection Order (PPO).
- 4.5 In some circumstances ACTCS will have a duty to take reasonable steps to protect individuals who may be harmed by contact with detainees.
- 4.6 The No-Contact List includes all forms of communications available to detainees in ACT correctional centres, which are email, mail, visits and telephone.

- 4.7 A victim may request to be placed on the No-Contact List verbally or in writing. Where a victim verbally requests this must be confirmed in writing, which may occur through an appropriate intermediary (e.g., Victims Support ACT).
- 4.8 ACTCS will take all reasonable measures to ensure a detainee is prevented from contacting individual/s included in the No-Contact List.
- 4.9 ACTCS will ensure as far as possible that all identified victims of sexual offences, where an offender has been convicted are added to the No-Contact List.
- 4.10 All victims registered on the Victims Register will also be added to the No-Contact List.
- 4.11 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.
- 4.12 Appropriate support organisations may make requests on behalf of their clients to ACTCS for their clients to be added to the no contact list.
- 4.13 ACTCS will ensure as far as possible 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 added to the No-Contact List.
- 4.14 Children and young people who are added to the No-Contact List can request 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.
- 4.15 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 the offender and victim as part of the Restorative Justice Program.
- 4.16 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.
- 4.17 The No-Contact List is only accessible by authorised ACTCS staff.
- 4.18 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 THE NO-CONTACT LIST

- 5.1 The AMC Executive Support Team are responsible for managing the No-Contact List to prevent detainees contacting individuals where there are current court orders in place or where an individual has requested no contact.
- 5.2 Authorised staff have access to the No-Contact List.
- 5.3 The AMC Executive Support Team will access the list to add or remove registered victims or individuals who have requested not to be contacted by a detainee.
- 5.4 The No-Contact List will not show if an individual is a registered victim or victim automatically added (i.e. victims of sexual offences) to protect their privacy.
- 5.5 Where there are current court orders in place preventing contact, the AMC Executive Support Team is unable to remove a person from the No-Contact List even at the request of the individual.
- 5.6 The AMC Executive Support Team are responsible for undertaking periodic audits of the list to ensure accuracy.

6 NOT TO CONTACT ALERTS

- 6.1 Victim Support ACT request that AMC Executive Support add victims as not to contact alerts on the detainee's electronic file.
- 6.2 Individuals may also request to be added as not to contact alerts on the detainee's electronic file.

7 INFORMATION ON THE NO-CONTACT LIST

- 7.1 The personal details of victims or individuals must be recorded on the No-Contact List corresponding to the detainee's name.
- 7.2 The details required to be recorded are:
 - a. name of victim/individual
 - b. address
 - c. email
 - d. telephone number
 - e. any court orders in place and the expiry date/s for no contact
 - f. reasons.

8 RELATED DOCUMENTS

- Detainee Communications Policy

Narelle Pamplin
Acting Commissioner
ACT Corrective Services
2 December 2024

Document details

Criteria	Details
Document title:	<i>Corrections Management (No-Contact List) Policy 2024</i>
Document owner/approver:	Commissioner, ACT Corrective Services
Date effective:	The day after notification
Review date:	Five years after the date of notification
Compliance with law:	This policy reflects the requirements of the <i>Corrections Management (Policy Framework) Policy 2024</i>
Responsible officer:	Senior Director Detainee Services

Version Control			
Version no.	Date	Description	Author
V1	September-18	First Issued	A Campbell
V2	November-24	Incorporated No-Contact List Operating Procedure	H Cheney